

1 CROOKSTON - MARCH 3, 2014 - 6:00 P.M.

2  
3 INFORMATION AND SCOPING MEETING FOR THE  
4 MINNESOTA PUBLIC UTILITIES COMMISSION  
5 AND  
6 MINNESOTA DEPARTMENT OF COMMERCE  
7  
8

9 In the Matter of the Application of North Dakota  
10 Pipeline Company, LLC for a Pipeline  
Routing Permit for the Sandpiper Pipeline Project

11 MPUC DOCKET NO. PL-6668/PPL-13-474  
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16 Crookston Inn & Convention Center  
17 Ballrooms 1 and 2  
2200 University Avenue  
18 Crookston, Minnesota  
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1 MS. TRACY SMETANA: Good evening  
2 everyone, and thank you for coming.

3 My name is Tracy Smetana, I'm with the  
4 Minnesota Public Utilities Commission. And we're  
5 here for the public information meeting for the  
6 proposed Sandpiper Pipeline route.

7 This is a brief agenda of what we'll  
8 cover tonight. Brief introductions. We'll talk  
9 about the route permit roles and process. I will  
10 ask the company to provide a brief summary of the  
11 proposed project. The Department of Commerce will  
12 talk about the environmental analysis project. And  
13 then we'll get to the main event when we can open  
14 things up for your comments and questions.

15 So first off I'd like to start off with a  
16 little introduction of who is the Public Utilities  
17 Commission, because a lot of folks probably haven't  
18 heard of us before if you haven't interacted with  
19 any of our processes in the past.

20 We're a state agency and we have  
21 responsibility for regulating permitting for power  
22 plants, transmission lines, pipelines. We also  
23 regulate local and in-state long-distance companies,  
24 as well as the rates and services for investor-owned  
25 electric and natural gas utilities.

1                   We have five commissioners appointed by  
2                   the governor. They serve staggered terms, so they  
3                   aren't all appointed by a new governor when a new  
4                   governor comes into office. It's also full-time  
5                   employment for those folks so it is a 40-hour-week  
6                   position for them. And we have about 50 staff at  
7                   our agency to help them do the business of  
8                   regulating.

9                   A little bit more about who's who.  
10                  There's some various terms and groups that you might  
11                  hear about through the course of this process.

12                 The first is the applicant. That's the  
13                 company asking for the certificate of need and the  
14                 pipeline route permit. So in this case it's North  
15                 Dakota Pipeline Company. So if you hear the term  
16                 applicant, that's who we're talking about.

17                 The Department of Commerce is a state  
18                 agency that has two different arms that play a role  
19                 here. The first is the Energy Environmental Review  
20                 and Analysis Group, you might see them abbreviated  
21                 as EERA. And they're a state agency that will  
22                 conduct the environmental analysis. And Larry  
23                 Hartman with the Department of Commerce will talk in  
24                 further detail about that at the end of the  
25                 presentations.

1                   The other arm of the Department of  
2 Commerce is the Energy Regulation and Planning  
3 Group. And they intervene whenever the facilities  
4 or other applicants ask to make changes to their  
5 facilities, their rates, and so on.

6                   . Later on in this process we will ask  
7 the Office of Administrative Hearings to get  
8 involved. They will have an administrative law  
9 judge that deals with all of the facts in the  
10 record, helps collect the facts, will be back up  
11 here holding public hearings to give you an  
12 opportunity to talk further about your concerns and  
13 questions about the project. And ultimately the  
14 administrative law judge, or ALJ, will write a  
15 report with some recommendations for the Public  
16 Utilities Commission for them to consider in their  
17 decision-making.

18                  At the Public Utilities Commission  
19 there's two different folks that you might interact  
20 with. The first is the public advisor, and that's  
21 me. My job is to help you figure out how to  
22 participate in this process. When do you jump in,  
23 how do you jump in. I'm a neutral party, I don't  
24 give legal advice. I'm not going to be an advocate  
25 for your property or your group or your position.



1           My job is to provide information.

2                       My counterpart is called an Energy  
3           Facility Planner. And that person deals more with  
4           the technical aspects of this project and, again, is  
5           also a neutral party and is not going to be an  
6           advocate for any person or position in the process.

7                       So why is the Public Utilities Commission  
8           involved with this particular project? Well,  
9           there's two different pieces to the puzzle. One is  
10          called a certificate of need, so that's going to  
11          answer the question is this project needed. And the  
12          reason that the Public Utilities Commission gets  
13          involved in this particular question is this project  
14          is what we call a large energy facility. It  
15          transports petroleum, it's a pipeline with a  
16          diameter of six inches or more and more than 50  
17          miles in Minnesota. And so there are some statutes  
18          and rules that talk about what the Commission needs  
19          to do and how it needs to consider these types of  
20          projects.

21                      This project also requires a route permit  
22          from the Minnesota Public Utilities Commission  
23          before it could be built. So that answers the  
24          question, okay, if it's needed, where is it going to  
25          go. And the reason it needs a route permit from the

1 Public Utilities Commission is it's a diameter of  
2 six inches or more and it transports hazardous  
3 liquid. So, again, there are some rules and  
4 regulations that talk specifically about how the  
5 Public Utilities Commission needs to process this  
6 type of an application.

7 And these statutes and rules that I'm  
8 referencing here are available online or at your  
9 public library. If you have an interest in digging  
10 in deep to that information, you certainly are  
11 welcome to do that.

12 So how does the Public Utilities  
13 Commission decide on the route? And, again, tonight  
14 we're mostly here talking about the route process.  
15 So some of the factors that the Commission is  
16 required to consider: Human settlement. The  
17 natural environment, including air, water, plants  
18 animals, recreation. Archeological and historic  
19 resources. The economy. Pipeline costs and  
20 accessibility. We also want to look at using  
21 existing rights-of-way. The cumulative effects of  
22 future pipeline construction. And also compliance  
23 with local, state and federal regulations.

24 And with this list here, the rules and  
25 statutes don't prioritize them, necessarily, and so

1       that's up to the Public Utilities Commission to  
2       determine, okay, if we're faced with a decision, you  
3       know, should we avoid human settlement and impacts  
4       to the natural environment more, or should we avoid  
5       impact to the natural environment more and impact  
6       human settlement less. Those are the kinds of  
7       issues that the Commission will be wrestling with.

8               Okay. If you're a picture person, I  
9       realize in the back this might be a little tricky.  
10      But we'll start with the certificate of need  
11      process. So, again, this answers the question is  
12      this project needed. And so there's a whole outline  
13      of steps that the Public Utilities Commission has to  
14      go through in order to make that decision.

15             And so if we start at the top with  
16      application accepted, that's sort of what kicks it  
17      all off. That's what says, hey, we have enough  
18      information here to start the review process. And I  
19      know that terminology can be confusing. You say,  
20      well, if it's accepted, what are we doing here?  
21      Isn't it already a done deal? The answer is no.  
22      Accepted only means that it's got enough information  
23      in the record to start the review process.

24             There will be a review of the facts.  
25      We'll get down to public hearings, followed by

1       evidentiary hearings, which is where the  
2       administrative law judge is involved. He or she  
3       will have evidence collected, written testimony,  
4       also oral testimony and so on. And ultimately, as I  
5       said earlier, will write a report for the Public  
6       Utilities Commission leading to a decision one way  
7       or the other.

8               We anticipate the decision-making process  
9       from that top box to the bottom box to take roughly  
10      12 to 15 months, but the exact schedule has not yet  
11      been set.

12             Now, you see this looks rather similar.  
13      This is the pipeline route permit process. It has  
14      many of the same steps, but you'll note the  
15      difference over here is the alternative routes and  
16      the environmental analysis of the routes. And,  
17      again, we have someone from the Department of  
18      Commerce to discuss that in greater detail.

19             And what's going to happen is these  
20      processes are going to run together whenever  
21      possible. So, for example, when we get to the stage  
22      of the public hearings, the public hearings that  
23      will be held later on will be for both the question  
24      of need and the question of the route.

25             Now, if you're a list person instead of a

1 picture person, you'll like this slide a lot better.  
2 This gives you the estimated project timeline, and I  
3 really do want to emphasize estimated. At this  
4 point the schedule has not been set, so based on our  
5 experience and what the rules and regulations  
6 require, this is our best guess as to when things  
7 will happen. Don't mark your calendar and plan your  
8 vacation around these dates because they are not  
9 hardened in stone, okay. But you can see we're here  
10 right now, the public information meetings in March.  
11 There's a comment period that closes April 4th. And  
12 then you can see the steps following from there.  
13 And we're anticipating the decisions about the need  
14 and the route in January 2015. Again, this is very  
15 subject to change.

16 Now, one of the ways that people can  
17 participate along the way is to submit written  
18 comments. Sometimes that is connected to attending  
19 a meeting like tonight, other times it's not  
20 connected to a meeting but there will be a notice  
21 that comes out that talks about sending in comments.  
22 And there's a couple things, if you receive these  
23 notices or if you see them on our website, to know  
24 when you look at them.

25 So one thing that you'll want to be

1       concerned with is the docket number. That's sort of  
2       the connection to everything in our system. We kind  
3       of go by the docket number. Like an employer may go  
4       by your employee I.D. number, we go by the docket  
5       number, that's how we track this project. So it's  
6       important when you communicate with us to include  
7       that docket number in there. And you can see there  
8       are two different ones for this project, one for the  
9       question of need and one for the question of route.

10               The next thing that you'll want to pay  
11       attention to is the comment period. And you can see  
12       this is an old one, but just for sake of an example.  
13       There will be some specific dates as to when the  
14       comment period opens and closes. And so you want to  
15       make sure that you pay attention to those dates. If  
16       your comments arrive after the closed period, they  
17       may or may not be considered as part of the record.

18               Now, the other piece that's important is  
19       the topics open for comment. As we work through  
20       this process, there's various stages along the way  
21       where we need help answering different types of  
22       questions. And so you can see back in December when  
23       this notice came out, we were looking for answers to  
24       questions about does the application contain the  
25       information we need. Now that we're beyond those

1 steps, we don't really want answers to questions  
2 like that anymore, we want answers to new questions.  
3 And so if you receive a notice of comment period or  
4 a notice of a meeting that talks about topics open  
5 for comment, it's most helpful for us for folks to  
6 stay on point with the items that we're looking for  
7 help with at that point in time.

8 So one of the topics for tonight that  
9 Mr. Hartman with the Department of Commerce will  
10 describe in greater detail is the ability to submit  
11 alternative routes and route segments. So when the  
12 company or the applicant submits its application,  
13 they have to submit some ideas about where it's  
14 going to go, right. But part of this process allows  
15 other folks to say, hey, you know, if you jog this  
16 way to the north that would make it better because  
17 it would avoid X, Y or Z. And so there's a process  
18 detailed about how folks can submit alternative  
19 routes or route segments. They do need to be  
20 submitted by April 4th, that comment period  
21 deadline. And then once all of those are in, the  
22 Department of Commerce will make some  
23 recommendations about that. And ultimately the  
24 Public Utilities Commission decides which  
25 alternatives will move forward for further study.

1 And, again, I've offered the rule citation for folks  
2 that really want to dig in.

3 Now, if you're looking for more  
4 information, and I know there's some folks here that  
5 I've probably already talked to that maybe have  
6 already taken advantage of some of these sources for  
7 getting more information.

8 Through our system we have what we call  
9 eDockets, and that's where everything about these  
10 two cases resides. So when the company sends  
11 information in, they put it in eDockets. When  
12 citizens submit comments, they go into eDockets. So  
13 everything, the complete record, is located in this  
14 eDocket system, we call it. And so the instructions  
15 for viewing those documents are listed here.

16 And, again, you see that docket number  
17 that I mentioned earlier is sort of the key to  
18 finding information about this project. And I've  
19 included on there a screen shot of what it looks  
20 like when you're doing the search function, because  
21 sometimes people find that it's not very  
22 user-friendly and so it's helpful to see what that  
23 might look like when you get there.

24 We also have a project mailing list. And  
25 when you came in there was an orange card that you



1        can fill out, and we can collect those any time  
2        tonight or you can mail them if you don't get an  
3        opportunity to hand them in to us this evening.  
4        That will allow you to receive notices in the mail  
5        about project milestones and opportunities to  
6        participate. If you'd like to receive those pieces  
7        of information by e-mail, please include your e-mail  
8        address on there and sign the bottom of that form so  
9        we can send those to you electronically instead. If  
10       you don't provide the information for us tonight,  
11       but later on you decide you'd like to be added to  
12       that list, there's the contact information here for  
13       our docketing folks who keep track of that list.

14                Now, if you want to receive more than  
15       just notices about meetings and comment periods and  
16       other milestones, if you say, hey, I want to see  
17       everything that happens and I want to get notified  
18       about it, I don't want to have to go into that  
19       eDocket thing and search for it, I just want to get  
20       a notice, we have an e-mail subscription feature  
21       that you can sign up for. And this is a  
22       self-service thing. You would follow these steps to  
23       go ahead and subscribe. And then what would happen  
24       is, every time something new comes in -- so, for  
25       example, last week we added the presentation for

1           tonight into the eDocket system -- you would get an  
2           e-mail saying, hey, something new came in and you  
3           can click on the message and then you can open up  
4           the document that arrived. Now, for some people  
5           that's too much e-mail. If you're not an e-mail  
6           kind of person it's probably not for you. But it is  
7           a way that some folks find useful to stay informed  
8           about the project. And this is -- again, people  
9           sometimes say it's not very user-friendly, so I did  
10          provide a screenshot of what that eSubscription form  
11          looks like, you can see the fields that you would  
12          have to enter and how that works.

13                       And then, again, the two contacts at the  
14          Public Utilities Commission. I'm Tracy, I'm the  
15          public advisor. And my counterpart, the Energy  
16          Facility Planner, is Scott Ek. He is not with us  
17          this evening, but if you have questions of a  
18          technical nature he'd certainly be happy to answer  
19          those for you as well.

20                       And, with that, I'm going to turn it over  
21          to the applicant.

22                       MR. BARRY SIMONSON: Does this work?  
23          Yes, it does. Thank you.

24                       Good evening, everyone, and thanks for  
25          joining us for this process here in Crookston.

1                   My name is Barry Simonson, I work for  
2                   Enbridge. I am the manager of our main land  
3                   execution team out of Superior, Wisconsin for North  
4                   Dakota Pipeline, LLC.

5                   So Sandpiper Pipeline Project. It  
6                   consists of approximately 616 miles of pipeline  
7                   system that starts in and around the Tioga area in  
8                   North Dakota, western North Dakota, and diverts  
9                   easterly through North Dakota into Clearbrook. From  
10                  Clearbrook we're proposing to route the pipeline  
11                  south and then east, eventually terminating in  
12                  Superior, Wisconsin.

13                 The diameter of the pipeline is 24 inch  
14                 from Beaver Lodge to Clearbrook. And from  
15                 Clearbrook to Superior it will be a 30-inch diameter  
16                 pipeline. There will also be facilities in North  
17                 Dakota as well as a new Clearbrook terminal in the  
18                 Clearbrook area.

19                 In terms of construction. We're looking  
20                 to hopefully start construction in late 2014 in  
21                 North Dakota and in Minnesota late 2014, 2015.  
22                 Predominantly, most of the construction will take  
23                 place in 2015 with an in-service date of Q1 of 2016.

24                 In terms of routing the pipeline. We've  
25                 had various exercises with routing and choosing the

1       most appropriate route. And with that in mind,  
2       we've routed this to accommodate about 75 percent of  
3       the route collocated with existing utilities owned  
4       and/or foreign.

5               And in terms of cost, it's around a \$2.6  
6       billion project, so it's a big undertaking for the  
7       company.

8               The next map here really indicates areas  
9       where we have collocation. If I can -- the area to  
10      the northwest, all the way from the border of North  
11      Dakota to Minnesota to Clearbrook, NDPL has an  
12      existing line 81, a 16-inch line that runs to  
13      Clearbrook. Our goal there is to collocate as best  
14      we can with line 81.

15              From Clearbrook we're routing the  
16      pipeline south. As you can see in the north-south  
17      route in blue, there is an existing utility  
18      corridor, Minnesota Pipeline Company, which operates  
19      some pipelines that run eventually all the way down  
20      to the St. Paul refinery.

21              Now, from Park Rapids on the southern leg  
22      right there, we're traversing easterly following an  
23      existing DC power line for the majority of that  
24      route, and then heading south and then east through  
25      Carlton County and then back into Wisconsin and

1 ultimately the Superior terminal.

2 One of the benefits of the project.  
3 Well, delivering Bakken light crude to North  
4 American refineries is the goal of this project. By  
5 offsetting imports from countries that are unstable  
6 or unfriendly to U.S. interests, it will help  
7 increase our nation's energy independence.

8 During construction, this will be around  
9 this area also, approximately 50 percent of  
10 anticipated 1500 construction jobs in Minnesota will  
11 be locally hired, local hospitality and other  
12 businesses will benefit from the project.

13 In addition, long term, counties along  
14 the route will receive significant property tax  
15 revenue. In 2011 Enbridge paid \$34 million in  
16 Minnesota property taxes. We expect to pay an  
17 additional 25 million annually in Minnesota property  
18 taxes for Sandpiper following its first year of  
19 operation.

20 In terms of safety, it's our top priority  
21 at Enbridge. Our top priority is to operate our  
22 system safely and reliably. No incident will ever  
23 be acceptable to us. We continually invest in new  
24 safety technologies and training to protect our  
25 employees, residents, and natural resources. And we

1           strive for fair and equitable treatment for  
2           landowners and stakeholders alike.

3                       Thank you for attending. And we have a  
4           panel of other functional groups within Enbridge  
5           that will be here to answer any questions that you  
6           may have throughout the evening.

7                       Thanks.

8                       MR. LARRY HARTMAN: Can you hear me  
9           back -- that's better. Can you hear me back there?  
10          If I could get your help back there if my voice  
11          falls off, if someone would just raise your hand  
12          I'll try to speak up.

13                      As Tracy indicated, my name is Larry  
14          Hartman. I'm with the Minnesota Department of  
15          Commerce. And our role and function is more towards  
16          the kind of environmental review component. With me  
17          and assisting me is Casey Nelson on our staff, and  
18          she'll be working with me throughout the project.

19                      We've got some information out there on a  
20          number of things, and I'll kind of try to go through  
21          that.

22                      But before I start I'd like to do a few  
23          little ground rules for your sake and my sake, also.  
24          First of all, we have a court reporter here and her  
25          name is Janet and Janet is sitting right here. What

1 we do is we make a transcription of these  
2 proceedings and they'll be posted on our website as  
3 well as eDockets also. It'll be basically the same  
4 presentation at most -- at all the meetings, I  
5 guess, so each transcript will be posted. So some  
6 people like to come to the meetings, that's fine, we  
7 encourage you to do that. If you like to find out  
8 what has gone on at the other meetings you can't  
9 attend, the transcript will be available on our  
10 website, as well as eDockets also.

11 And also, for Janet's sake, she's human,  
12 she gets tired after lots of questions, so we're  
13 going to take probably a short little break around  
14 7:30 just to give Janet a five- or ten-minute break,  
15 maybe.

16 COURT REPORTER: Or 15.

17 MR. LARRY HARTMAN: Or 15. And then  
18 we'll reconvene, so that if you have questions of me  
19 or Enbridge then, that would be an opportune time if  
20 you don't want to raise your hand and ask a  
21 question.

22 We did have green cards out there for  
23 people to fill out if you want to speak. It's not  
24 necessary. If you don't want to hold up your hand  
25 you might want to fill out a card. I've only got

1 two cards so far. If you want to fill out cards,  
2 that's fine. Casey has more cards she can pass out,  
3 otherwise I'll just kind of alternate between cards  
4 and those who raise their hands. And then at the  
5 conclusion of my presentation, which I'll try to  
6 keep brief, we'll open it up to questions and  
7 answers.

8 So without, I guess, without further ado,  
9 we'll proceed. And, again, I've got -- I don't  
10 know, not many slides.

11 This is the first meeting tonight, I  
12 guess indicates where other meetings are, and this  
13 is also in the notice also. I won't spend a lot of  
14 time on that.

15 Pipelines are reviewed a little bit  
16 differently than other projects. What happened when  
17 the pipeline rules were adopted back in the late  
18 '80s, they were authorized by the Minnesota  
19 Environmental Quality Board as an alternative form  
20 of review. So there's no typical EIS, draft EIS,  
21 final EIS. For efficiency sake, the environmental  
22 review requirements were incorporated into the rules  
23 adopted for pipelines. So the review process,  
24 rather than two separate review processes and  
25 separate tracks, they've been combined into one



1 process. So the review process for pipelines  
2 contains the elements of alternative environmental  
3 review, which is why they are authorized as an  
4 alternative form of environmental review.

5 There are only two other forms of  
6 environmental review in Minnesota. One is for Camp  
7 Ripley and the other is the Metropolitan Airports  
8 Commission.

9 Again, these are basically information,  
10 scoping meetings, so if you have questions,  
11 concerns, it's certainly an opportunity to raise  
12 those tonight and/or by the deadline period of  
13 April 4th for comments.

14 Again, if you want to, and I'll go  
15 through this a little bit more, if you just want to  
16 submit comments as to what you think about the  
17 project, we have the comment sheet out there. It's  
18 postage fee paid, all you need is scotch tape and a  
19 pen or pencil. Fill in your comments, tape it shut,  
20 follow the directions on how to tape it, and get it  
21 to me in the mail. And then we'll compile all of  
22 those, sort them, and then those will become part of  
23 the record and they'll be on eDockets and on our  
24 website also.

25 If you as a landowner have a pipeline --

1           or Enbridge's proposed alignment crossing your  
2           property, maybe you're not entirely happy about it.

3                       Now, let me explain a little bit. Our  
4           rules define a number of things. A route can be up  
5           to a mile and a quarter in width. So Enbridge's  
6           route in this case is considered to be less than  
7           that, it's about 250 feet up to 750 feet in width.  
8           And what we've been doing on recent pipeline  
9           projects, we've been trying to kind of narrow things  
10          down. I know in the Alberta Clipper one they  
11          followed pretty much their existing right-of-way  
12          where they can. Here they're trying to follow their  
13          existing right-of-way where they think it's most  
14          desirable between the border crossing in Clearbrook,  
15          and Barry explained the other ones a little bit. If  
16          you think there's a better place for it, you can  
17          certainly make that suggestion.

18                      Now, again, as I mentioned, a route can  
19          be a mile and a quarter in width and, again, it's a  
20          fairly broad area. What they're looking for for a  
21          permanent right-of-way is about 45 to 50 feet, in  
22          that neighborhood. They're also looking for a  
23          temporary work space in order to allow the equipment  
24          and the pipe and the spoil to be kind of all within  
25          that contained or defined area. Where they're going

1 to do directional -- or directional drill crossings,  
2 which is typically under streams, rivers, railroads  
3 and paved highways, they'll bore underneath so  
4 they'll need extra temporary work space to set those  
5 up. And those are indicated on the detailed route  
6 maps out there, also.

7 If you would like to make a route  
8 proposal, I'll talk about this a little bit more  
9 later on, they have those detailed maps out there,  
10 or they are also available in sheets. Again, map  
11 sources, if you want to submit a route map and you  
12 don't have a detailed map, you can use a plat book,  
13 if you so desire, you can use, you know, Google  
14 Earth photos, you can get photos from the  
15 Agricultural Field Services, county highway maps,  
16 there's a number of map sources out there. If  
17 you're looking for sources you can always give me a  
18 call, I can further direct you if you're having  
19 trouble finding something.

20 The detailed maps are also on our  
21 website. We've broken them down by county, by  
22 township, and by milepost. And we have file size  
23 there so you know what the file size is. Some of  
24 you might be on dialup, that can be a slow wait  
25 given the size of the files. But everything is

1       there kind of broken down so we tried to make it  
2       very user-friendly.

3               And I'll point out what our website is,  
4       it's in the notice, and it also part of this  
5       presentation also.

6               For example, if you choose to make a  
7       route proposal, and this is an illustration for a  
8       transmission line, an electric transmission line. I  
9       believe that was the entity's preferred route -- and  
10      this is just an illustration -- and two other route  
11      proposals came in in that area, one with something  
12      like that and another one like that. Those are the  
13      types of things we're looking for.

14              Now, again, if you -- some people might  
15      say put it up north on the main line route that they  
16      already have where they've got six or seven  
17      pipelines. Well, they've looked at that, they don't  
18      feel it's reasonable. I'm sure people will still  
19      suggest that. If you do want to make a route  
20      suggestion, you can make it as long as you want. I  
21      encourage you to work with your neighbors, also,  
22      talk to one another about it. You know, again, show  
23      it to us on a map, tell us why you think it's a  
24      better alternative. Just don't say I don't want it  
25      on my property if it doesn't help me. Give me a

1 real good reason for -- or I guess identify reasons  
2 as to why you think it should be located elsewhere.

3 What happens after April 4th -- that  
4 would be the deadline for any additional route  
5 proposals. Those route proposals will come to my  
6 attention. We'll go through and review them to see  
7 if we have the information we're looking for. If  
8 the information isn't there, we'll either call you,  
9 write you, e-mail, and let you know we need  
10 additional documentation and try to give you some  
11 help or assistance on what else you need to provide.

12 We will then package everything that  
13 comes in, whether we think it meets the criteria or  
14 not, and it'll go to the Commission. And the  
15 Commission will make the determination on what  
16 routes will be considered at the public hearing.

17 Again, once the Commission determines the  
18 universe of routes, we will then prepare what's  
19 called a comparative environmental analysis. That  
20 will basically look at Enbridge's proposal in that  
21 area. If you've made a proposal in that area, we'll  
22 try to evaluate them and point out what the  
23 differences are and that will be kind of the crux of  
24 the document. Also, if other issues are identified,  
25 say, ag issues, drain tile or something else, that

1 would also be examined in further detail. A lot of  
2 that Enbridge has already discussed in their  
3 application. I'd encourage you to review the  
4 application, go through it, and check it for  
5 accuracy if there's something you disagree with,  
6 there's a better way of doing it, that's something  
7 you can comment on also.

8 So there are really a lot of options out  
9 there. So I wouldn't say, you know, again, it's  
10 going to take some time, it's going to take some  
11 effort, but I think for those who have participated  
12 in the past and where agreements have been reached,  
13 it's been to both Enbridge's benefit as well as  
14 those members of the public who may be affected by  
15 the route location on their land.

16 Now, again, as I mentioned, the route is  
17 a mile and a quarter in width. Enbridge has kind of  
18 narrowed it down quite a bit. Now, again, your  
19 property, maybe the route is five to six hundred  
20 feet wide, maybe you want it just 100 feet north or  
21 200 feet north. And I'm just saying that for an  
22 illustration. That may not mean that you need to  
23 make a route proposal, it probably doesn't hurt,  
24 that's something you can also talk to Enbridge  
25 about, and they might carry that forward on your

1       behalf or just agree, yeah, you're right, based on  
2       what you pointed out, we can work with that and deal  
3       with that anyhow. So that's another option. And I  
4       can go into that a little bit more later on.

5               For example, here is just something I  
6       just kind of sketched out. You know, move it 600  
7       feet north to avoid the higher quality soils,  
8       interfere -- to minimize interference with your  
9       center pivot plans. Maybe you've got a well out  
10      there, Minnesota does have well setbacks, or there  
11      are setbacks from wells for pipelines, petroleum  
12      pipelines, and that's provided for by the Minnesota  
13      Department of Health and it's 100 feet.

14             If there are any specific impacts you'd  
15      like to see evaluated in the comparative  
16      environmental analysis, that's one of the things  
17      we'd like to hear tonight at the meeting if you have  
18      something. Also, you can mail in comments to us  
19      again by April 4th on that. And the comment sheets  
20      are out there also.

21             For example, impact on ag land. Soil  
22      separations, drain tile repair, soil compaction,  
23      organic farmlands, irrigation, crop loss. And this  
24      is not meant to be inclusive, just illustrative of  
25      the types of things we're looking for. Maybe

1        proposed land use plans, residential, industrial,  
2        natural resources, rural water systems, roads, water  
3        resources, stream/river crossings, wetlands,  
4        forestry, clearing of vegetation. Cutting trees is  
5        always a significant issue to people. Wildlife,  
6        cultural resources. We look at archaeological  
7        factors, you know, grades, cemeteries, burial  
8        mounds, there are a number of things out there that  
9        fall in that category.

10                So the comparative environmental analysis  
11        would basically look at the routes proposed and just  
12        present information on them that would constitute  
13        our prefiled testimony for the public hearing, and  
14        that would be introduced into the record when the  
15        time comes. We expect that will probably take three  
16        or four months to prepare, if not a little bit  
17        longer.

18                And as Tracy mentioned -- oh, excuse me,  
19        I got ahead of myself.

20                So basically the comparative analysis  
21        would basically -- it's a written document  
22        describing the impacts of the project as we know or  
23        has to be identified. So, again, it's an important  
24        opportunity for you folks. If there are things out  
25        there and a lot of things that you know that either



1 I don't know, Enbridge may not be aware of, so the  
2 idea is to kind of build a full record.

3 What will happen if the project is  
4 approved and built, there will be construction  
5 plans. So if Enbridge is coming to you and looking  
6 for an easement, you can specify certain conditions.  
7 Those go into what's called the line list. So when  
8 the project's being built I'll have all the  
9 construction plans in my office, you give me a call  
10 and say they're not doing it, and I'll say is it on  
11 the line list, I have your tract number, your name,  
12 I can look it up and check. So if there's an issue,  
13 we can be involved in resolution of that issue.

14 Public hearings will be presided over by  
15 an administrative law judge. There's been a change  
16 in the ALJ, it's going to be Eric Lipman. And as of  
17 March 17th we're going to have our first prehearing  
18 conference. And that's basically to refine  
19 scheduling a little bit. And you might want to  
20 check after that, the ALJ will post a summary of  
21 that and give you a little bit more information  
22 about future dates as they're anticipated.

23 Besides the permits authorized by the  
24 Commission, there are a number of downstream permits  
25 or authorizations. I've got a summary out there

1 summarizing some of the major ones. And  
2 basically -- well, PUC issues the certificate of  
3 need, the route permit, which we're involved with in  
4 reporting to the Commission. DNR has a  
5 responsibility for issuing a license to cross public  
6 lands and waters. PCA has a number of permits,  
7 stormwater runoff, water discharge permits. And DNR  
8 also has water appropriation permits. Minnesota  
9 Department of Health has setbacks for wells. MnDOT  
10 has policies for paralleling and crossing highway  
11 rights-of-ways. The same goes for county roads.  
12 County ditches, township roads also. All of the  
13 agencies I just mentioned with regard to roads have  
14 the duty of issuing permits also if they so choose.

15 We also have the Minnesota Department of  
16 Agriculture. One of the components of the project  
17 is an agricultural protection plan. That plan is  
18 part of their application as appendices, and also,  
19 once we're done with the pipeline in terms of  
20 permitting, if it's built and we follow through  
21 restoration after that, we no longer have  
22 jurisdiction over the pipeline. We are not  
23 authorized to do safety-related issues. And safety  
24 falls to the Minnesota Department of Public Safety  
25 and the Office of Pipeline Safety.

1 Minnesota has a fairly active Office of  
2 Pipeline Safety. They're also an authorized  
3 inspector by the federal Office of Pipeline Safety,  
4 and do inspection of interstate natural gas  
5 pipelines also, which only about three states have  
6 responsibility for.

7 This is our website. You can find not  
8 everything on our website, you can find basically  
9 what we consider to be primary documents. That  
10 would be the transcripts of these meetings, anything  
11 we prepare for the Commission we post on our website  
12 as well as eDockets.

13 And, again, my name is Larry, you can  
14 submit comments by mail, e-mail, fax, and through  
15 the website also.

16 I guess this would be the opportunity.  
17 I'll be glad to respond to questions I can.  
18 Enbridge has a panel of people here who is also  
19 available to answer questions. So I have two people  
20 who have given me speaker cards or who would like to  
21 ask questions. And why don't I call on the LaPlante  
22 family first. Frances or Mario.

23 MR. FRANCIS LAPLANTE: Do you want us to  
24 come up there?

25 MR. LARRY HARTMAN: Sure. And when you

1 speak, if you'd spell your name for the court  
2 reporter, speak slowly and clearly for Janet, she  
3 would appreciate that. Thank you.

4 MR. FRANCIS LAPLANTE: My name is Francis  
5 LaPlante, F-R-A-N-C-I-S --

6 MR. LARRY HARTMAN: Is that working back  
7 there? Is it working now?

8 MR. FRANCIS LAPLANTE: Can you hear me  
9 now? Can you hear me now? Can you hear me now?

10 (Discussion.)

11 MR. FRANCIS LAPLANTE: Can you hear me  
12 now?

13 MR. LARRY HARTMAN: Can you hear back  
14 there?

15 MR. FRANCIS LAPLANTE: My name is  
16 Francis, F-R-A-N-C-I-S, LaPlante, L-A-P-L-A-N-T-E.

17 I have some pictures that I'd like to  
18 submit. These are pictures that were taken this  
19 summer at pipe 81 construction work done this  
20 summer. The pictures are mostly just to present the  
21 soil structure that we have.

22 Commonly in the Red River Valley people  
23 think we have such a heavy, thick black soil, but  
24 it's actually quite shallow when you look in the  
25 pictures. So that's what I presented here, four

1 pictures, different sizes, but they're the same  
2 thing.

3 And then I had some questions. I had  
4 attended some of the Grand Forks meetings and some  
5 of the meetings that were taking place over in North  
6 Dakota. One of the questions I have is will you be  
7 reviewing the information from the North Dakota  
8 meetings? Because some of them have public comments  
9 that I thought were pretty relevant to Minnesota  
10 also.

11 MR. LARRY HARTMAN: I don't -- it's my  
12 understanding there are recordings of it, I think  
13 they are voice recordings, according to somebody  
14 related to you. So I don't know, it depends on  
15 time. I'll certainly go through and find out and  
16 capture what the highlights of those meetings were,  
17 though.

18 MR. FRANCIS LAPLANTE: Okay. All right.  
19 Okay. I had a few questions I just wanted to ask.

20 One of the questions was, in North  
21 Dakota, one of the public comments brought up was  
22 that this is going to be light-weight crude. And  
23 one of the public commenters was saying that they  
24 were concerned that this was going to be a water  
25 soluble type of material, also. Most of it will

1       probably just be petroleum that will float to the  
2       top and skimmers would normally take oil off of the  
3       water that comes to the top, but if water got  
4       contaminated with some of this stuff, some of it  
5       will mix with the water and there would be no way to  
6       retrieve that contamination. And that shocked some  
7       North Dakota public utility commission members  
8       because they weren't aware of that. And so they  
9       were going to have to think about that because so  
10      much development is taking place in western North  
11      Dakota. I don't know what the solution is, but I  
12      just thought I'd bring it up.

13                Another question is how much time does it  
14      take when a leak is detected? From the meetings  
15      that I attended, there are basically like three  
16      different scenarios. One is a major damage, say a  
17      contractor would puncture a pipeline. And 75  
18      percent or more of the damage to the pipeline is by  
19      third-party people, it could be up to 80 percent.  
20      And if there is a major break like that, the central  
21      control station up in Canada shuts down the system,  
22      which is really good.

23                Then there's a second, smaller type of  
24      leak detection. If there's a smaller hole and it's  
25      not enough to cause a pressure drop, but there is a

1        loss of liquid, the Coriolis meters can detect  
2        flows, as I believe it, or understand it, down to  
3        like five gallons for five seconds, which is a  
4        fairly small leak. But suppose you drop down to,  
5        like, four gallons per five seconds, you probably  
6        can't detect that, then you'd have to see that in  
7        the soil. With heavy black crude, maybe that would  
8        show up in the soil better and you could find that.  
9        But with the lighter-weight crude I'm a little bit  
10       concerned that might spread out more and get into  
11       the water system. It's just another thing to  
12       consider. And because it's lighter weight, it's  
13       more explosive, more combustibile. Some of our  
14       safety people who have to respond to fires should be  
15       aware of it, that it's going to cover a bigger area  
16       than the heavy crudes that they may be familiar  
17       with.

18                    Another thing. If there is a major pump  
19       shutdown because of a major leak, I was wondering  
20       how long it takes for the crude to actually stop  
21       flowing through the line. If you had a big hole and  
22       you shut the pumps off, then of course there would  
23       be no pressure in the oil out of the lines, but if  
24       you start shutting down the valves, just because oil  
25       is flowing through the lines at approximately four

1 miles per hour and because you've got miles of line  
2 and light-weight crude won't have quite the friction  
3 that heavy-weight crude does, it may have to coast  
4 for quite a while and quite a long time before you  
5 can actually shut off the valves so that you don't  
6 force oil out of the hole. That would be an  
7 engineering thing they would have to talk about, I  
8 guess. I don't know the answer to that.

9 Another question maybe is covered  
10 somewhere else, but I was wondering how much of a  
11 depth of cover is required over field ditches. Now,  
12 some of these field ditches are actually pretty  
13 deep. And in the past with the gas pipelines and  
14 some other pipelines, we've got three pipelines on  
15 our land right now, two of them intersect with an  
16 oil pipeline, and we will have a -- we'll have two  
17 oil pipelines and two gas pipelines crossing our  
18 land. And we're just wondering how deep the  
19 pipelines will be. Because field ditches can be  
20 deep and we have some restriction where we can't get  
21 the water to flow through our ditches now because we  
22 have to have too much cover over the pipeline. Now,  
23 this mostly pertains to a gas pipeline, but it could  
24 happen to other things, too.

25 Another concern that some of the North



1       Dakota people brought up is suppose that you're  
2       doing deep tillage and you scratch the coating on a  
3       pipeline, how long will it take before they're able  
4       to detect the scratch? Because if corrosion starts  
5       taking place you could have a weak spot there and  
6       you may end up with a slow leak, which could take a  
7       long time to discover.

8                Another thing, the soils around here,  
9       especially the clay soils, have a lot of expansion  
10      and contraction, especially with temperature and  
11      moisture. Even today we've got out on our land  
12      we've got a break, a power line break, and they've  
13      been digging for a while trying to figure out where  
14      the pipeline break is -- or the power line break is.

15              The same thing happens with the water  
16      lines. Now, our water lines are generally below the  
17      frost line, so I don't know if you would want to  
18      consider putting the pipeline deep around here so we  
19      don't have expansion and contraction, so the soils  
20      aren't stressing the pipeline, because the stresses  
21      are what we're really afraid of.

22              And then one of the North Dakota concerns  
23      was the distance between valves. The longest  
24      distance in North Dakota is approximately 52 miles.  
25      I don't know what the distance is here. Average

1 distance in North Dakota is much shorter than that,  
2 but the longest distance is 52 miles. And some of  
3 the people were concerned of how much oil might leak  
4 out if the oil had to flow for a while.

5 So those were the concerns that I brought  
6 up right now. Other things might come up later, but  
7 that's what I wanted to present.

8 MR. LARRY HARTMAN: Thank you.

9 Oh, I'll try to respond to some as best I  
10 can and I will let Enbridge respond to the other  
11 questions.

12 Minnesota law -- I'll start out with  
13 depth of cover. Federal law, the federal rules for  
14 pipelines, and it's U.S. Code of Regulation Title  
15 49, Parts 192, which covers gas, and 195, which  
16 covers liquid lines. Federal law requires that  
17 pipelines be buried a minimum depth of 36 inches.  
18 So that's from the top of the pipe to the top of the  
19 ground. Minnesota has a more stringent law, and we  
20 require a depth of burial in agricultural fields,  
21 across roads and ditches, of a minimum of 54 inches.

22 Now, landowners can sign a waiver on that  
23 if they so choose. However, it has to be clearly  
24 stated on the back side of the easement in clear  
25 English language and has to be initialed by you that

1           you acknowledge that.

2                       Now, I don't know how old the line 81  
3           line is that crosses your property, sir?

4                       MR. FRANCIS LAPLANTE: 1962.

5                       MR. LARRY HARTMAN: 1962, so that  
6           predates the federal regulations which came into  
7           effect, I believe, in 1969 and 1979, respectively.  
8           So I don't know the depth of the existing Enbridge  
9           line on your property. Sometimes companies like to  
10          have the pipelines at the same depth, you know, for  
11          maintenance purposes. You know, deep tillage makes  
12          more sense. Also, you know, with the shift in  
13          agricultural crops and corn and beans moving up  
14          north a little bit more and deep tillage practices,  
15          I imagine if you don't have tile in your land you  
16          might be considering tile in the future. And  
17          obviously they'd like to be below your tile line and  
18          your grading on tile up here is about one inch per  
19          100 feet regarding slope. So typically your  
20          companies wouldn't want to be below the tile line,  
21          which is why 54 inches makes sense. They'd also  
22          bore underneath the ditches.

23                       And I think the way the statute is  
24          written on ditches, it's supposed to be four feet  
25          below the bottom of the ditches, allowing for, you

1 know, increased ditch depth in the future. And  
2 typically the counties, I'll check with the counties  
3 on ditch plans, if they have plans to deepen the  
4 ditches or make modifications or changes or  
5 additions of ditches, also.

6 Does that answer your question on depth  
7 of cover?

8 MR. FRANCIS LAPLANTE: Yes.

9 MR. LARRY HARTMAN: Okay. Minnesota also  
10 has a very comprehensive Gopher State One Call  
11 system. So, for example, if you have a drain tiler  
12 out there putting in drain tile for you, you should  
13 let him to know to notify Gopher State One Call  
14 system first so they can come out and mark the  
15 pipeline so they know where it is. Now, a lot of  
16 them use laser beams and that sort of stuff and they  
17 should know well enough to go through the Gopher  
18 State One Call system.

19 As you did mention earlier, third-party  
20 damage probably accounts for 67 to 75 percent of all  
21 pipeline incidences. And drain tile is  
22 unfortunately one of the -- historically have been  
23 one of the bigger offenders of that.

24 With regarding scratching. Now, if you  
25 go out and happen to hit a pipeline, obviously the

1 company would prefer that you not do that, but it  
2 helps if you know where they are. It's a system  
3 promoted on safety, so they would rather know that  
4 you scratched the pipeline so they can come out and  
5 fix it and correct the damage. There's not a fine  
6 or a penalty to you, they just want to know. Now,  
7 if you scratch it, maybe your inclination might be  
8 to kind of look around and kick some dirt over it,  
9 but that doesn't help the company and it doesn't  
10 help you if it's on your property and there's an  
11 incident down the road. So for the safety of the  
12 pipeline they would like to know any occurrences or  
13 damage incurred to the pipeline irrespective of the  
14 source or the cause, just for safety reasons.

15 And, again, a lot of your pipe comes  
16 precoated now versus the old graphing system. So in  
17 that sense, if you get a scratch on that, it does  
18 create more of an opportunity for corrosion. Your  
19 pipelines will generally have cathodic protection on  
20 them. Now, you'll have sacrificial land nodes, the  
21 Office of Pipeline Safety monitors all of that stuff  
22 and they do their annual inspection of pipelines in  
23 the state of Minnesota.

24 I did some driving around today and I  
25 believe there's a shutoff valve not too far from

1        your property, if I remember my maps correctly. I  
2        will let, I guess -- oh, I was going to say, if  
3        there's a leak and it's reported, the first thing  
4        the company would do, they would call the duty  
5        officer in the state and the Minnesota Pollution  
6        Control Agency in conjunction with others who would  
7        be the first responders. From a safety point of  
8        view, in terms of cleanup and from safety of the  
9        pipeline, Office of Pipeline Safety, it would be  
10       kind of their responsibility to, I guess, go through  
11       that. PCA would be the responsible agency again for  
12       cleanup of that. And, again, they might contract it  
13       out to somebody else, but the company is actually  
14       responsible for the correction.

15                    A lot of your other questions I think I'd  
16       probably defer to Enbridge to answer.

17                    Are a lot of you folks on a rural water  
18       system up here? Can I have a show of hands on rural  
19       water? And that's something the company would like  
20       to know, also, and I imagine the depth is probably  
21       six feet for those lines?

22                    MR. FRANCIS LAPLANTE: It might even be  
23       deeper, I think it's below the frost line, but I'm  
24       not sure.

25                    MR. LARRY HARTMAN: Okay. And do they

1 use -- I imagine the older pipes are metal and the n  
2 newer ones might be plastic?

3 MR. FRANCIS LAPLANTE: I'm just familiar  
4 with the plastic ones.

5 UNIDENTIFIED: I have a line and it's  
6 plastic and I'm guessing it's eight feet or it would  
7 have froze by now this winter.

8 MR. LARRY HARTMAN: Okay. And that's  
9 something the company would take into their plans  
10 for construction, as to depth, as to where one of  
11 those lines are. And then it's between them, I  
12 guess they sort that out with the owner of the  
13 system. And typically those rural water lines are  
14 within existing road rights-of-ways. So they would  
15 need a permit from the township, county, or the  
16 state to cross any roads anyhow, so that would be  
17 part of that permitting process also.

18 Barry, did you want to --

19 MR. BARRY SIMONSON: Thanks, Larry.  
20 Thank you, Mr. LaPlante.

21 I can answer a few of the questions. I  
22 think I gathered some were comments, some were  
23 questions, so I think I can answer a few.

24 In terms of soil structure here and  
25 expansion and contraction, obviously Enbridge has

1        many thousands of miles of pipelines, and not just  
2        line 81 here in this region, but also the northern,  
3        northwestern part of Minnesota. And obviously there  
4        are federal regulations on depth of cover based on  
5        different aspects. And those being the fact that  
6        this is a crude oil pipeline, and in the application  
7        I believe the temperature is between 45 and 60  
8        degrees in the pipe itself, so we really don't have  
9        any issues with expansion and contraction with our  
10       system based on the depth of cover that we're  
11       placing the pipeline at.

12                    MR. FRANCIS LAPLANTE: Okay.

13                    MR. BARRY SIMONSON: Okay. Second  
14       question, and this is the one that might be a little  
15       long answer, but distance between valves. If you  
16       took the fact that right now we're planning on  
17       approximately 22 valves in the state of Minnesota,  
18       and you take 300 miles, you get around 14, 15 on  
19       average. But that really doesn't take into account  
20       how we place the valves in the locations that we do.  
21       There's many factors based on the topography, the  
22       volume of oil going in and out, any sensitive water  
23       body crossings that we have, population centers. So  
24       we do an engineering model that takes all of that  
25       into account. And then we have to field verify if



1       they actually make sense. So then we actually go  
2       out with our engineering and construction folks and  
3       figure out where these valves need to be placed  
4       based on those factors. And in addition to that  
5       we're putting -- all these valves will be controlled  
6       by electric power, as well as communications, which  
7       sounds like you were in some of the hearings in  
8       North Dakota so that's reiterative, but for the  
9       general audience here, that's a fact that we're  
10      doing on all of our block-offs.

11               Just to clarify to Mr. Hartman that we  
12      have had outreach with the rural water systems. I'm  
13      not sure if anyone has been contacted directly, but  
14      we have been doing an outreach to figure out where  
15      those utilities are located, because we did go  
16      through this back on prior expansion projects to the  
17      north.

18               I guess I'll turn it over to Art, in  
19      terms of some of the other questions.

20               MR. JOHN GASELE: Why don't you talk  
21      about topsoil and segregation, if you can.

22               MR. BARRY SIMONSON: Sure. In terms of  
23      the construction workspace that's noted in the  
24      application, we're looking at an upland of about 120  
25      feet of total workspace. And with that, part of the

1       reason why we're doing that is that, being the  
2       topsoil is very vital to all the agricultural lands  
3       here in western Minnesota and other parts of the  
4       region, we're planning on topsoil stripping so that  
5       topsoil goes to one side of our working side -- or  
6       working right-of-way, and the subsoil that's  
7       excavated from the ditch goes to the other side so  
8       that we have no mixing of topsoils. That's what our  
9       intention is going forward in this project.

10               MR. ART HASKINS: So, my name is Art  
11       Haskins, I'm the emergency response coordinator for  
12       the North Dakota region, North Dakota Pipelines. I  
13       guess I'll address the question related to  
14       detection.

15               So as we stated at some of our other  
16       meetings, we do have pressure and flow monitoring  
17       capabilities. And the flow monitoring can be much  
18       more accurate for smaller amounts. And it's not a  
19       one-time thing. So if you -- if you are below that  
20       threshold, over the course of that first few seconds  
21       it doesn't stop right there, it continuously  
22       monitors. So if we're below threshold, then we'll  
23       still eventually reach above that threshold and then  
24       we'll notice that there was a loss. So you can't  
25       just say, oh, by the way, we lost this much, and

1       it's just below that threshold, well, then, the next  
2       five second we would still know that that was now  
3       that extra loss and so, once again, a small loss  
4       would be detected. It's not a one-time measurement,  
5       it's a continuous measurement of flow, and then also  
6       catches up at the end. And there are bigger, you  
7       know, in a couple hour and the 24-hour, there are  
8       other types of measurement things that occur as well  
9       with that. So it's not a one-time thing.

10               As far as overall emergency response, the  
11       flow of the product and the methods of recovery,  
12       we're prepared for responding to those. That's what  
13       we're currently trained for, that's what we work  
14       with with our pipeline as a current product. So all  
15       of those issues, whether it's heavier or lighter, we  
16       can address all of those with our recovery  
17       techniques.

18               MR. FRANCIS LAPLANTE: All right.

19               MR. LARRY HARTMAN: The application also  
20       contains the material safety data sheets, too, as  
21       the composition of the product. I'm not familiar  
22       with it, but I can point those out to you later on  
23       during the break or at some other time if you're  
24       interested also.

25               MR. FRANCIS LAPLANTE: Okay. All right.

1                   MR. LARRY HARTMAN: Did you have other  
2                   questions?

3                   MR. FRANCIS LAPLANTE: Well, some other  
4                   people may bring them up.

5                   MR. LARRY HARTMAN: Okay.

6                   MR. FRANCIS LAPLANTE: But if the oil in  
7                   the pipeline is going to be 45 to 60 degrees, we've  
8                   noticed temperature responses from crops over the  
9                   pipeline at that temperature. In the springtime  
10                  those crops would take off and grow much faster, but  
11                  then as the season progresses, especially in the dry  
12                  season, then the crops tend to dry off and they  
13                  mature faster. So that over the pipeline those  
14                  crops, especially the small grains, will tend to  
15                  mature and ripen off and die off faster than the  
16                  surrounding areas. So it becomes a management  
17                  problem for a lot of farmers that it's kind of a  
18                  lost area right over the pipeline because they don't  
19                  harvest separately over the pipeline versus the rest  
20                  of the field. So it's just something to take into  
21                  consideration, I guess.

22                  MR. LARRY HARTMAN: Thank you.

23                  Why don't we come back to the other  
24                  member of the LaPlante family.

25                  How about Todd Leake.

1 MR. TODD LEAKE: Leake.

2 MR. LARRY HARTMAN: Leake, I'm sorry.

3 MR. TODD LEAKE: My name is Todd Leake, I  
4 live at 2371 10th Avenue Northeast, Emerado, North  
5 Dakota. I farm in central Grand Forks County. I am  
6 Chair of the Agassiz Basin Group of the Sierra Club,  
7 which represents over 125 Sierra Club members in  
8 northwestern Minnesota.

9 The Sierra Club does not endorse the  
10 Sandpiper Pipeline Project. However, we do have  
11 some issues that we'd like to bring to the fore  
12 regarding this pipeline.

13 The Sierra Club, since 1892, has been  
14 instrumental in the legislation and adoption of  
15 national laws regarding our clean water, as in the  
16 Clean Water Act, the National Environmental Policy  
17 Act, the Safe Drinking Water Act, the Clean Air Act,  
18 the Wilderness Act, and several other major  
19 environmental legislations.

20 To the aspect of looking at the Safe  
21 Drinking Water Act and the Clean Water Act, we have  
22 several issues with the Sandpiper Pipeline as  
23 proposed.

24 They majorly revolve around the crossings  
25 of the Red River and the Red Lake River. Currently,

1 the Sandpiper Pipeline for most of its length  
2 follows the easement that was granted to the pipe  
3 81, as was mentioned before, a 1962 constructed  
4 pipeline. The pipeline 81 is in a deteriorating  
5 condition. It's an antiquated technology. It has  
6 several problems that I'm sure that people at  
7 Enbridge are more than aware of. I have one  
8 neighbor who had 26 integrity digs; whether they  
9 were leaks or not, we don't know, but there were  
10 several leaks on pipe 81. There has to be a time  
11 when some of this infrastructure has to be retired.  
12 Nothing can go forever.

13 This is integral with the -- with the  
14 routing of the Sandpiper Pipeline. Currently, the  
15 easement for the Sandpiper Pipeline crosses the Red  
16 River at section 36 of Grand Forks Township and  
17 crosses the fence into Minnesota. This is an under  
18 the river crossing. There for about six miles east  
19 of there it crosses the Red River -- or, excuse me,  
20 the Red Lake River, and the proposed Sandpiper  
21 Pipeline crosses the Red Lake River twice.

22 The Red River and the Red Lake River  
23 constitute the drinking water supply for the cities  
24 of Grand Forks, North Dakota and East Grand Forks,  
25 Minnesota, with combined population of over 60,000

1 people. It also serves water to the Grand Forks Air  
2 Force Base, which is a major military installation.

3 Over 75 percent of the water that is --  
4 that is made for potable water purposes in Grand  
5 Forks is for industrial purposes. So we're not only  
6 talking about the drinking water supply for the  
7 people of Grand Forks and East Grand Forks, the Air  
8 Force base, and several other rural areas in the --  
9 in environs of Grand Forks and East Grand Forks,  
10 we're also talking about water for the economy of  
11 the city of Grand Forks, Grand Forks County in  
12 northwestern Minnesota and northeastern North  
13 Dakota. Many agricultural processing plants,  
14 proposed fertilizer plants will be in need of  
15 copious water, which has to be of a certain  
16 standard.

17 The Enbridge pipeline company has not had  
18 a great track record on not contaminating large  
19 river systems, of course the most infamous being the  
20 Kalamazoo River spill. That's been over, I  
21 understand, over a billion dollars in attempts to  
22 clean up the Kalamazoo River, which will probably  
23 likely be unsuccessful and may never be cleaned up  
24 and is no longer a viable water supply for people of  
25 south central Michigan. We do not want this to

1           happen to the Red Lake River and the Red River.

2                     The Sierra Club would prefer, should the  
3 pipeline be built, that certain features be  
4 incorporated into the design of this pipeline. The  
5 first we would like to talk about would be the Red  
6 River crossing.

7                     Currently, as I mentioned before, the  
8 section 36 is where the pipeline 81 crosses the Red  
9 River into Minnesota. The current route for the  
10 Sandpiper Pipeline takes it a few miles south of  
11 that -- of that easement. We would prefer to see  
12 the easement for the Sandpiper Pipeline route, and  
13 the easement follow pipe 81, the crossing for pipe  
14 81, as we said in 1962, a 52-year-old pipeline, be  
15 retired and both of those pipelines, if pipeline 81  
16 is to be kept in service, to be bridged over the Red  
17 River along with the Sandpiper Pipeline so that  
18 proper monitoring can take place over the Red River.

19                    The problem with the under-river  
20 crossings is they're out of sight, out of mind.  
21 We've had several in the northern plains where we've  
22 had large bodies of water contaminated by pipelines.  
23 The Yellowstone River by Exxon Mobil Pipeline in  
24 2011. We've had the Kalamazoo, which I mentioned  
25 before. And we do not think that this is a -- that



1       having under the river pipeline crossings are safe  
2       and we do not want to have pipeline 81 become a  
3       hazard for the cities of Grand Forks, East Grand  
4       Forks water supply, the Red River, the Lake Winnipeg  
5       water resource, the Nelson River, et cetera.

6               We want to have monitoring made by a  
7       pipeline -- that is more viable over a pipeline  
8       bridge. We also want the Sandpiper Pipeline bridged  
9       along with it so that we do not give further  
10      generations another rotting, deteriorating pipeline  
11      underneath the Red River.

12             The same is true for the Red Lake River,  
13      and even more so. It is the water supply, major --  
14      the main water supply for the cities of Grand Forks,  
15      East Grand Forks. Of course, the Red River is the  
16      default. Because of the higher quality of the Red  
17      Lake River water it is used for the Grand Forks city  
18      water supply, which supplies those communities in  
19      those areas.

20             We want to have the pipeline rerouted to  
21      avoid the Red Lake River entirely. There is no  
22      need, just because there's an existing easement of a  
23      smaller, older pipeline, to follow that easement  
24      route and make possible contamination of this vital  
25      water resource.

1                   That concludes my statements.

2                   MR. LARRY HARTMAN: Thank you.

3                   Michael Dahl.

4                   MR. MICHAEL DAHL: (Speaking in Ojibwe.)

5                   Well, first off, my name is Giikwekii  
6 Gabo, or Michael Dahl. I come from the White Earth  
7 Reservation. Okay, that's where I come from.

8                   And my reason for being here is a number  
9 of things. I greeted you in our language because  
10 that's the way I was raised, that's the way I was  
11 taught, and that's the way for the next two weeks  
12 you will hear me speak. Okay. We'll visit some  
13 more tomorrow.

14                  But I have a number of questions that  
15 I'll spread out throughout the next few days and  
16 next few weeks here. And, ideally, in the sense  
17 because I know there's things that aren't being  
18 considered by Enbridge, by the PUC, by the  
19 Department of Congress -- or Commerce, in regards to  
20 native issues.

21                  A number of those things. One, right off  
22 the bat, is what studies have been performed on the  
23 potential impacts that any spill, when it happens,  
24 because we all know by now it's not an if, it is a  
25 when a spill or a leak happens with one of these

1        pipes. What are the impacts of even the most minute  
2        amount of five barrels or less, which don't have to  
3        be reported, what impact does five barrels of oil  
4        have on the watershed? And what does it have on the  
5        rice, especially? Waabi-manoomin, the wild rice,  
6        which is the state grain of the State of Minnesota.  
7        So there again it goes to the Department of  
8        Congress -- or Commerce, why isn't there more  
9        information provided as to the impacts not only on  
10       the agricultural resources of the area, of the  
11       route, but primarily on what is stated as the state  
12       grain of the State of Minnesota.

13                The other questions that I have are what  
14        considerations, in regards to that, are being taken  
15        in regards to the -- and this is a tough word --  
16        usufructuary rights of indigenous people?  
17        Usufructuary rights. It's a tough word to say even  
18        if you know it.

19                The other thing that I'm asking is what  
20        consultations are being done with the native people  
21        and the 1855, 1854, 1863, and the 1889 ceded  
22        territories treaties, which impacts the people of  
23        White Earth Reservation, Leech Lake Reservation,  
24        Fond du Lac Reservation, Grand Portage Reservation,  
25        and the Red Lake Reservation. It is currently

1 impossible to run a pipeline or do anything in the  
2 state of Minnesota that does not impact the ceded  
3 territories of those aforementioned treaties, which  
4 state that anything going on in that case is federal  
5 government. It's federal government. We know this.  
6 It's government to government. The United States of  
7 America negotiating and talking with the native  
8 people and the tribe, Ojibwe, not the Chippewa, the  
9 Ojibwe of Minnesota.

10 The other question that I have is really,  
11 in looking at the route, as a people and as White  
12 Earth Reservation, we are against this route 100  
13 percent. Because it is coming across our  
14 reservation through Nora Township, and it's also  
15 coming right on the northeast side of one of the  
16 prized lakes of Minnesota and of the wild rice  
17 region, including southern Canada. One of the  
18 largest wild rice producing lakes. Over 100,000  
19 pounds of finished rice comes off of Upper Rice Lake  
20 alone every year. Over one million dollars of  
21 annual income to the people of our area. Not only  
22 our reservation business committee, but also to  
23 individual families like myself, who rice these  
24 lakes and do these things. And that provides an  
25 annual income boost. Nine times out of ten it

1           doesn't because we end up giving the rice to our  
2           families that don't live near us.

3                       So, in that thought, what happens to the  
4           pipe after Bakken oil fields run dry? What happens  
5           to it? What's going to happen to that pipe? Is the  
6           Sandpiper just going to sit there empty, dry after  
7           that? Because I don't know the numbers right off,  
8           I'm hoping one of you do, on exactly how much oil is  
9           expected to be produced from the Bakken oil fields.  
10          And it's not going to last forever. What's going to  
11          happen to that pipe after the Bakken oil fields are  
12          dry?

13                      This is an assumption on looking that  
14          this pipeline runs all the way back to Edmonton.  
15          Are there ideas that after the Bakken run dry, are  
16          we looking at facing tar sands, which are ten times  
17          worse, in my opinion.

18                      Now, that's, of course, assumptions at  
19          this point. I understand that.

20                      The other question that I have is, with  
21          Enbridge and the safety record that's boasted of  
22          99.999 whatever, 3, percent safety record, what is  
23          .0007 nonsafe record? What is that? What does that  
24          entail? Right off the bat, Tioga, 800,000 gallons.  
25          Kalamazoo, Pinewood. Cass Lake where I was born and

1       raised, where there's high rates of cancer. Is it  
2       connected? We don't know yet. Has there been  
3       science done with that?

4               The other question that I have is what  
5       happened to the rice that was once in the Pinewood  
6       area? The Pinewood spill, I believe it was in the  
7       late '70s, early '80s, I'm not sure exactly on the  
8       date. The spills of the Cass Lake area, the  
9       Clearbrook incident, the Cohasset incident. And  
10      that's just the state of Minnesota, that's not even  
11      getting into Wisconsin and Michigan. There's a lot  
12      of safety concerns that are in the forefront of my  
13      mind, especially as an Ojibwe man, and what is being  
14      done to consult and to consider the original  
15      inhabitants of this area? That when we were  
16      promised certain things and we haven't even been  
17      invited to the table yet.

18             Those are the questions that I have. The  
19      comment is simply, I'm in opposition. Most of you  
20      on this side of the table already know that. And,  
21      yeah, so that's where I'm at right now. I thank you  
22      for listening and hearing these questions out. But  
23      there are a lot of things that -- yeah, there's a  
24      lot of things that aren't being considered that are  
25      not seen. I'm not seeing them. To look at all of

1 the Enbridge propaganda, there is not one mention,  
2 not one, of the native people of these areas. And  
3 you're running through my reservation.

4 So, yeah, those are my questions.

5 MR. LARRY HARTMAN: I have a -- could I  
6 follow up?

7 MR. MICHAEL DAHL: Yeah, you can go right  
8 ahead.

9 MR. LARRY HARTMAN: I was trying to write  
10 it down, you said treaties of '54, '55, and I lost  
11 you after that.

12 MR. MICHAEL DAHL: '63 and '89. 1855 is  
13 the treaty that deals directly with the White Earth  
14 and the Leech Lake Reservation. 1854 is where the  
15 ceded territories of the Fond du Lac and the Grand  
16 Portage Reservations, which are part of also GLIFWC,  
17 the Great Lakes Indian Fish and Wildlife Commission.  
18 And then at the same time the 1863 and the 1889 deal  
19 directly with the Pembina Band and the Red Lake  
20 Reservation.

21 MR. LARRY HARTMAN: Okay.

22 MR. MICHAEL DAHL: And a little bit of  
23 Turtle Mountain, and it runs into Canada as well.

24 MR. LARRY HARTMAN: Okay. And you  
25 mentioned Pinewood, I am not familiar with Pinewood.

1 MR. MICHAEL DAHL: Pinewood, there was a  
2 spill back in the late '70s, early '80s.

3 MR. LARRY HARTMAN: Where is Pinewood at?

4 MR. MICHAEL DAHL: Pinewood is along  
5 Highway 2. If you blink, you'll miss it. Shevlin,  
6 it's in between Shevlin and Bemidji -- or Shevlin  
7 and Solway.

8 MR. LARRY HARTMAN: Okay.

9 MR. MICHAEL DAHL: Yeah.

10 MR. LARRY HARTMAN: Thank you.

11 MR. MICHAEL DAHL: Um-hum.

12 MR. LARRY HARTMAN: Are you doing okay,  
13 Janet? Okay. We have about seven minutes.

14 MR. MICHAEL DAHL: I have seven minutes?

15 MR. LARRY HARTMAN: No, no, no, no.

16 MR. MICHAEL DAHL: Oh, I thought we were  
17 going to go somewhere.

18 MR. LARRY HARTMAN: I'm sorry. Did you  
19 have anything else you wanted to say?

20 MR. MICHAEL DAHL: No. But can you  
21 answer any of those questions? 'Cause every time  
22 I've asked them before, Mark, we've talked about  
23 this, Barry, we've talked about it, and you said  
24 this is 106, after Section 106 we'll have an answer  
25 for you. So I've been anxiously awaiting for the



1           answer to consultation with native people in  
2           Minnesota.

3                       MR. LARRY HARTMAN:   Go ahead.   I don't  
4           have an answer.

5                       MR. MARK CURWIN:   We can respond to that.  
6                       My name is Mark Curwin, and I'm with the  
7           major projects execution management team of the  
8           Superior office.

9                       With respect to the consultations,  
10          Michael, and I appreciate you being here again, good  
11          to see you again, and it sounds like we'll have some  
12          more good conversations in the next couple of weeks.

13                      MR. MICHAEL DAHL:   We'll have some  
14          coffee.

15                      MR. MARK CURWIN:   We're looking forward  
16          to that because we like the public process just as  
17          much as you do.

18                      With respect to the usufructuary rights,  
19          is what you were referring to --

20                      UNIDENTIFIED:   Louder.

21                      MR. MARK CURWIN:   The historic cultural  
22          rights that are preserved, that is part of the  
23          federal 106 consultation process.  And as you and I  
24          discussed back in Park Rapids a few weeks ago, that  
25          just hasn't started yet.  It will be part of the

1 process, but we're just not at that stage yet. To  
2 the extent those --

3 MR. MICHAEL DAHL: That hurts, because  
4 it's already planned, you know.

5 MR. MARK CURWIN: The consultations are  
6 required and that is a process all to itself, the  
7 PUC doesn't participate in that process, and it will  
8 occur as part of the process.

9 MR. MICHAEL DAHL: Do you have an  
10 estimated timeline on that?

11 MR. MARK CURWIN: I do not. Really, we  
12 don't control that as the project --

13 MR. MICHAEL DAHL: Who does control that?

14 MR. MARK CURWIN: The federal government.

15 MR. MICHAEL DAHL: The federal  
16 government. So then are you advising us that we  
17 should be in contact with the federal government on  
18 this, or the federal government should be in contact  
19 with us on it?

20 MR. MARK CURWIN: I can't give you any  
21 advice, obviously.

22 MR. MICHAEL DAHL: Yeah. Okay. A little  
23 more than last time, though. Thank you.

24 MR. MARK CURWIN: Well, I said when I got  
25 more information I would give you some answers,

1           that's correct.

2                     And a couple of other points I wanted to  
3           make. With respect to reporting on leaks, it's five  
4           gallons, not five barrels.

5                     MR. MICHAEL DAHL: Five gallons, all  
6           right.

7                     MR. MARK CURWIN: That's correct. So as  
8           we develop more around the consultation process,  
9           we'll certainly continue to engage you in a  
10          conversation on that.

11                    MR. MICHAEL DAHL: Um-hum. Does anybody  
12          have science on rice?

13                    MR. LARRY HARTMAN: Have what?

14                    MR. MICHAEL DAHL: Any science on rice,  
15          on the wild rice?

16                    MR. LARRY HARTMAN: I don't at this point  
17          in time.

18                    MR. MICHAEL DAHL: Okay. You're not  
19          aware of anything that's been -- any extensive  
20          studies on the state grain?

21                    MR. LARRY HARTMAN: I remember something  
22          about a year ago in the news media about wild rice,  
23          but beyond that I don't recall the specific details.  
24          And if I went beyond that I would just not know what  
25          I'm talking about.

1                   MR. MICHAEL DAHL: That strengthens our  
2                   opposition in that, you know, that there's  
3                   inadequate information. There's a ton of  
4                   information I've seen on the agricultural part,  
5                   aspects of impacts and environmental impacts. But  
6                   with wild rice being the state grain of the State of  
7                   Minnesota, I'm, for lack of a better word, appalled  
8                   that there's a lack of science, you know, set in  
9                   place to protect the state grain of the State of  
10                  Minnesota.

11                 MR. LARRY HARTMAN: What I can do is --  
12                 he's not here tonight, but a representative of the  
13                 Department of Agriculture will be with me at the  
14                 four meetings to be held next week, and I'll let him  
15                 know.

16                 MR. MICHAEL DAHL: Park Rapids, McGregor,  
17                 Carlton?

18                 MR. LARRY HARTMAN: Yes. And his name is  
19                 Roger Patton. Actually, I don't know if his phone  
20                 number is in the letter that I have out there for  
21                 state agencies. But I'll pass your comment on to  
22                 Bob. I would normally go through the Department of  
23                 Agriculture for something like that. At least for  
24                 information to see what they have as a starting  
25                 point.

1                   MR. MICHAEL DAHL: Okay. Not much more  
2 answers than the last time, but one half of an  
3 answer helps a little bit. We'll see you guys  
4 tomorrow.

5                   MR. LARRY HARTMAN: Okay. It's around  
6 7:30. Why don't we take a break for Janet, let her  
7 fingers relax a little bit, and then we'll continue.  
8 So do you want to reconvene in about 15 minutes? A  
9 little bit less, maybe?

10                   (Break taken from 7:26 to 7:47.)

11                   MR. LARRY HARTMAN: I will call on Mario  
12 LaPlante.

13                   MR. MARIO LAPLANTE: Mario LaPlante.

14                   I've got so many questions, I really  
15 don't know where to start. And I don't want to keep  
16 everybody here all night, so I'll ask the ones I  
17 feel are important tonight to get answered and then  
18 I'll leave the rest of them with you to get back to  
19 me on.

20                   First one, starting with tonight, is line  
21 81. Is there a projected end date for that line?  
22 Or are you just planning on indefinitely maintaining  
23 it until it does cause a major catastrophe? Because  
24 within one mile of my residence this year there's  
25 already been two repair digs being done. So I'm

1           guessing as that line is aging, you're not going to  
2           be able to keep up maintaining it. So is there a  
3           projected end date for that line? And, if so, when  
4           that line ends, is it going to be left in place as a  
5           dead line, or is it going to be dug up and a new  
6           line put back in the same location because you  
7           already have the easement, the right-of-way, to me  
8           it would be a slam dunk to do it. So that's my  
9           first question. And I think rather than run them  
10          all and get all the answers, if you'd like to take  
11          them one at a time.

12                   COURT REPORTER: Can you remind me of  
13          your name again?

14                   MR. MARK CURWIN: Sure. Mark Curwin,  
15          C-U-R-W-I-N.

16                   The life of a pipeline is -- can be  
17          indefinite. It's really a function of how it's  
18          operated and how it's maintained. Similar to your  
19          car. The way you drive your car and the way you  
20          maintain it is going to influence the longevity of  
21          it. So line 81, like all of our lines, is  
22          continuously analyzed through our integrity  
23          management program. And what you're seeing, what  
24          you've seen with those digs is a consequence of that  
25          analysis. So we have tools that analyze the

1 condition of the pipe and that leads to the types of  
2 activities that you're seeing.

3 We have a very aggressive integrity  
4 management program. So we think that's a good  
5 thing, because we're out there investigating all the  
6 time anything that shows up through the tools.

7 Under our -- under the federal  
8 regulations, if somebody were to stop using a  
9 pipeline, there are a couple things they can do.  
10 They can abandon it, which most companies don't want  
11 to do. What happens, typically, is it will be  
12 deactivated. So it is taken out of service, it  
13 doesn't have any product running through it, but  
14 it's continued to be monitored and maintained. The  
15 cathodic protection has to be maintained on it to  
16 inhibit external corrosion, and the line would be  
17 purged and then we would continue to monitor it  
18 going forward when it goes out of service. That is  
19 typically what happens.

20 MR. MARIO LAPLANTE: That protects your  
21 five-year nonabandonment clause, then, by doing  
22 that --

23 MR. MARK CURWIN: I don't know who has --  
24 I don't know what you're talking about with respect  
25 to your particular situation and the nonabandonment.

1                   MR. MARIO LAPLANTE: I read it somewhere  
2                   in all of this information. If the line is not used  
3                   for a period of five years the easement reverts back  
4                   to the original landowner.

5                   MR. MARK CURWIN: Without the specifics,  
6                   I couldn't answer that.

7                   MR. MARIO LAPLANTE: So at what point,  
8                   when you're starting to dig up every quarter mile  
9                   every year, you're finally going to give up on it  
10                  and say -- 'cause I see it becoming more often, more  
11                  frequent. And the line is how many years old, and I  
12                  never saw a dig before and now I see two within a  
13                  year. So at some point you're not going to be able  
14                  to keep up with the maintenance on it.

15                  MR. LARRY HARTMAN: Obviously, we would  
16                  never operate the pipe in an unsafe condition.  
17                  Obviously, you know, that's our number one priority,  
18                  is to operate them safely and reliably so it doesn't  
19                  cause you any problems. You may get to a company --  
20                  and I'm not saying we would do it on line 81, but at  
21                  some point in time I expect that you would get to a  
22                  point where you would have to make a decision to  
23                  either continue to do all that work that you're  
24                  doing, or you would take it out of service, or  
25                  replace it.



1                   MR. MARIO LAPLANTE: Because I'd be  
2 concerned about the safety factors, also the  
3 disruption of our business every time you do a  
4 maintenance dig. So we'll leave that one be for  
5 now.

6                   Considering Appendix C of the draft  
7 agricultural plan, I was able to get a copy of that  
8 and read it, and that's where these two pages of  
9 questions come from. But my concern there is, for  
10 the benefit of all landowners, why was not a copy of  
11 the permit application sent to all landowners at the  
12 time the notice of this meeting was sent so they  
13 could read it and have an intelligent set of  
14 questions for this meeting? There's one copy at the  
15 public library in Crookston, and I've read it on  
16 Sunday, but it took me a period of time to read it  
17 because nobody knew it was there and hadn't asked  
18 for it.

19                  MR. MARK CURWIN: I think I would defer  
20 that question to Mr. Hartman.

21                  MR. LARRY HARTMAN: And I know there's an  
22 application available at the library, it's also  
23 available to anyone on request on a CD also. I  
24 don't know if they have copies of the CD here  
25 tonight or not.

1                   The application comes in three volumes.  
2           The maps are a large volume, and the other two  
3           portions are fairly large also. The -- excuse me --  
4           the applications have also been sent to the  
5           auditor's office, every township clerk should have a  
6           copy of it. There's a whole list of the people, and  
7           a lot of them are identified in the notice as to  
8           where it's available at. So there shouldn't be a  
9           copy further than six miles from anybody if you're  
10          in an organized township.

11                   MR. MARIO LAPLANTE: But I'm concerned  
12          about the number of people who aren't actively  
13          following this not being aware of that. If it  
14          arrived in their mailbox they're going to say what's  
15          this all about, maybe I should dig into it.

16                   MR. LARRY HARTMAN: But all of those  
17          people would have received a copy of the notice of  
18          the meetings. I believe that Enbridge has a notice  
19          list that was approved of by the PUC. I don't know  
20          how many names are on the list. All those people  
21          received notice of it, or notice of these meetings,  
22          and where copies of the application are available.  
23          Either at libraries, county officials, township  
24          officials, our website, which is much easier to  
25          navigate than the Commission's website just because

1 we've organized it for use of the public. The  
2 eDocket website has everything, so it's -- you can  
3 learn to navigate it, but it's a time-consuming  
4 endeavor. I haven't ventured into yet, I prefer to  
5 go to our website for it. Which is no reflection on  
6 that, but the Commission is the official website.  
7 We make our stuff -- try to make it more accessible  
8 to the public.

9 You know, again, just the way the rules  
10 are written, that under the other review process,  
11 you have your pipelines for noncontroversial ones  
12 that are fairly short, I have another one that's  
13 about 6,000 feet long right now, there's only two  
14 landowners and they both got copies of the  
15 application. Here there are, I don't know, 12, 13,  
16 14 hundred landowners, perhaps.

17 MR. MARIO LAPLANTE: 'Cause I know the  
18 library here has a CD version of it. And I'm not  
19 really computer illiterate, but I had trouble  
20 because they've got 20 computers, there was 19 kids  
21 playing video games, and by luck I got a computer  
22 and the librarian helped me load it up and I was  
23 able to read it. But there was also a ring binder  
24 there for another pipeline and I could flip through  
25 that a lot quicker and easier than the CD. But

8 MR. MARIO LAPLANTE: And some of these  
9 may not be relevant to this meeting but I'd like to  
10 ask them anyway.

17 MR. MARK CURWIN: It's a contractor that  
18 we would hire for that purpose and they would have  
19 authority to negotiate on our behalf and at our  
20 direction.

25 MR. MARK CURWIN: They're not free to

1           just do whatever they want, you're right.

2                       MR. MARIO LAPLANTE:   Okay.   And I'm  
3           guessing, because this is a public access utility,  
4           it falls under the realm of eminent domain.   So if I  
5           can't come to an agreement with contract, 'cause  
6           they can't get permission, what is the follow-up,  
7           then?   Who does make the offer if it does fall  
8           through them to me?   Who will I be negotiating with  
9           or who is going to tell me what I'm forced to take?

10                   MR. MARK CURWIN:   I can't say that you're  
11           going to be forced to take anything.   Obviously, you  
12           know, our desire is that we can sit down with every  
13           single landowner and reach an agreement that is fair  
14           and equitable to not only the individual landowner,  
15           but everybody else.   And that's very important to  
16           us, that we treat everybody, all of our landowners  
17           fairly.

18                   If we weren't able to get there, that's  
19           the last resort, would be condemnation.   And I can't  
20           really speak to that process.   Eventually, if we're  
21           at a lawsuit with you, if we're just at an impasse,  
22           then it would take a different path if that was the  
23           only option we had.

24                   MR. MARIO LAPLANTE:   Yeah.   And I'm not  
25           thinking it's going to come to that, but as long as

1           you've got that club in your arsenal, I don't have a  
2           club, so that's what concerns me.

3                   MR. MARK CURWIN: Mike, do you want to  
4           speak a little bit more to that process? I mean,  
5           essentially, I don't think this is really the place  
6           to get into the details of that. I mean, it turns  
7           into a legal proceeding, essentially.

8                   MR. MARIO LAPLANTE: Well, that's what  
9           I'm wondering, is that at this point is there some  
10          wording in the route application to protect the  
11          landowners? I don't know what our rights are, what  
12          our limits are, so if there's something that can be  
13          done, that's why I'm bringing it up at this point,  
14          if in the route application process, your permit,  
15          that we would have some protection?

16                   MR. LARRY HARTMAN: If I could -- okay.  
17          A couple things I'd like to mention. Can you hear  
18          me back there? Hello?

19                   Okay. A couple things I probably should  
20          have mentioned earlier. On the sheet I have outside  
21          where it has the criteria, the pipeline rules, and I  
22          just want to make this clear to you and I probably  
23          should have mentioned it earlier, it is my fault.

24                   The pipeline rules allow the company to  
25          go out and negotiate right-of-way with landowners

1           during the permitting process. North Dakota does  
2           that also, I believe.

3                       Now, they can -- you're free to enter  
4           into an easement agreement with them. However,  
5           should the transmission -- or the pipeline be  
6           located elsewhere, they negotiate at their own risk.  
7           They cannot use evidence of the fact that you have  
8           signed an easement with them. They cannot present  
9           that to the Commission as a reason for justification  
10          for we should get this route. They do that at their  
11          own risk. And it's more to save time than anything  
12          else, I'm assuming.

13                      So if they give you a check for 10,000  
14          bitcoins -- we know how much they're worth right  
15          now -- and it goes someplace else, the bitcoins are  
16          still yours. You don't give the money back to them.  
17          So that's something they do at their own risk. I  
18          just want to make that clear.

19                      MR. MARIO LAPLANTE: Okay.

20                      MR. LARRY HARTMAN: Now, in the event  
21          they cannot reach an agreement with you, they do  
22          have the right of eminent domain under Minnesota  
23          Statute 117.48. And typically what will happen, and  
24          let's say there's a landowner in each of the eight  
25          counties, and I don't know how many landowners there

1       are, I don't know how many will sign easements or  
2       how many won't sign easements depending on what  
3       happens. What would typically happen, I believe  
4       recent practice has been that they will take the  
5       condemnation cases, they'll file with the Supreme  
6       Court to ask the court the condemnation cases be  
7       consolidated so they come before one judge who would  
8       handle them all so that person would be fairly  
9       familiar.

10               The state is typically not involved in  
11       monetary transactions between companies like  
12       Enbridge and you, in terms of what's fair. You're  
13       in the position -- I don't think you want the state  
14       to negotiate what's fair for you or for anyone else.  
15       So that's a transaction between two parties which is  
16       outside the scope of PUC jurisdiction. You might be  
17       unhappy about the amount of money. And the only  
18       thing condemnation does, it awards monetary damages.  
19       It doesn't change location of the pipeline. If the  
20       Commission says it's here, that's where it's going  
21       to be. The monetary is sorted out between, if you  
22       go to -- well, it would be a condemnation panel. So  
23       if it's held locally there would be a peer panel or  
24       a trial by jury on that also. There are different  
25       ways, you know, mediation is another option also.



1                   One other thing I neglected to mention,  
2                   too, that -- and this is not to your point, but I  
3                   think it's important to mention. That when we issue  
4                   a permit, on the last two projects we've done, we've  
5                   also had environmental monitors out there. One  
6                   reports to the Department of Agriculture and the  
7                   other to the Department of Natural Resources with  
8                   regard to permit compliance. We also -- there's a  
9                   provision in Minnesota Statute 116I, which also  
10                  allows each county to appoint their own kind of  
11                  ombudsman to act on behalf of the landowners also.  
12                  And the company is obligated to pay the county \$500  
13                  per mile for that. A lot of times counties appoint  
14                  the highway engineer. Sometimes I don't know why.  
15                  But he tends to be more concerned about the ditches  
16                  and roads than perhaps about you as a landowner. So  
17                  that's another way that there's kind of a little bit  
18                  of oversight or control, not so much in a fiduciary  
19                  sense, but in terms of what the requirements are for  
20                  construction and restoration of the right-of-way.

21               MR. MARIO LAPLANTE: And I guess I'm not  
22               as concerned about the monetary compensation up  
23               front as I am the construction practices while the  
24               pipeline is being constructed. And that's where  
25               most of my concern is. And that's where my focus on

1        easement negotiations is going to be, is the actual  
2        construction processes, whether it's the full  
3        right-of-way, the modified right-of-way, the timing  
4        of excavation as far as soil conditions, the  
5        backfilling, where is the agriculture inspector,  
6        the agriculture monitor. To me, when I read the  
7        agricultural monitor it's kind of a reporting  
8        service to the state without any authority to  
9        influence what's happening on a day-to-day basis.  
10      Like I say, I've got -- I'll leave this with you,  
11      and if you want to decide who wants to answer what  
12      and get back to me.

13                    MR. LARRY HARTMAN: In past projects,  
14      with respect to the ag monitor, I know that change  
15      has been made to accommodate certain soil types,  
16      depending on where they are, what the conditions  
17      might be. So it's one of those things you kind of  
18      start and then as you learn you make the adjustments  
19      in the field once you've encountered the problem,  
20      then you kind of might change how -- what the  
21      practice might be for that given area, and that's  
22      generally done with the approval of Department of Ag  
23      also.

24                    MR. MARIO LAPLANTE: Yeah. 'Cause I'm  
25      concerned about for digging, and the ag inspector

1        says go ahead, and there's a company employee, the  
2        ag monitor says I don't think you should, and he  
3        says, well, go report it to the state, and by the  
4        time it gets to you and gets backs to him they are  
5        already three miles down the road so it didn't do me  
6        any good. So that's my concern in that regard.

7                MR. MARK CURWIN: All those issues are  
8        good, valid issues you have and concerns that you  
9        have about your property. And I suggest if you  
10       haven't yet, have the conversation with your agent  
11       and raise those with them and flesh those out so  
12       that we -- so we know before we start construction  
13       what your concerns are, what the conditions are on  
14       your property, so that we can do the best we can to  
15       not affect it.

16               MR. MARIO LAPLANTE: Yeah, I haven't been  
17       approached yet.

18               MR. MARK CURWIN: Okay.

19               MR. MARIO LAPLANTE: That's why I figured  
20       this is a good opportunity.

21               MR. MARK CURWIN: Yeah. And that's the  
22       place to start the conversation, with your agent.

23               MR. LARRY HARTMAN: Do you happen to know  
24       how deep the pipeline is on your property?

25               MR. MARIO LAPLANTE: This is pipeline

1           number four for us. We've got the first Portal,  
2           we've got Viking 1, we've got Viking 2. And another  
3           question was, because I read the gas pipelines are  
4           subject to federal, you've got no input there, I'm  
5           not sure how deep the Viking line is buried or is  
6           supposed to be buried, I wasn't in on that  
7           negotiation, but that's the shallow one that I'm  
8           concerned about.

9                       MR. LARRY HARTMAN: The Viking one?

10                      MR. MARIO LAPLANTE: Yeah. The Portal  
11           line, my dad, the anecdote says that thing's six or  
12           seven feet deep. I don't know that for sure, I  
13           intend to find out. But the Viking line transverses  
14           north-south, our sections run east-west, so that's  
15           the one that screwed me up more than the Portal line  
16           is. But I need to find out what the depth of cover  
17           is on that because we intend to clean our ditches to  
18           grade before this pipeline comes through and I don't  
19           want to hit that one in the process because, you  
20           know, I feel we should maintain 54 inches through  
21           the deepest part, the deepest ditch on our land.

22                      MR. LARRY HARTMAN: Where that Portal  
23           pipeline crosses your property, they should have a  
24           sign at the road crossing with a telephone number on  
25           it, I'd encourage you to call that number and have

1           them come out and either mark it or determine the  
2           depth on that pipeline before you do any ditch work.

3                   MR. MARIO LAPLANTE: Right. Yep. That's  
4           what we have done in the past.

5                   MR. MARK CURWIN: Yeah, I was going to  
6           say the same thing. I would encourage you not to  
7           figure out yourself what the depth of those  
8           pipelines are. Contact the companies and get them  
9           to come out and they can identify it for you and  
10          they can tell you what the depth is.

11                   MR. MARIO LAPLANTE: Okay. Thank you.

12                   MR. LARRY HARTMAN: Thank you.

13                   The next speaker card I have is Logan  
14          Bailey.

15                   MR. LOGAN BAILEY: Hello. I'm Logan  
16          Bailey, 305 East Third Street, Apartment 53, in  
17          Duluth, Minnesota, ZIP code 55805. I'm also the  
18          co-chair of the Minnesota Public Interest Research  
19          Group chapter in Duluth, at the University of  
20          Minnesota - Duluth.

21                   COURT REPORTER: They can't hear you. If  
22          you'd like, you can pull that out of there and hold  
23          it closer to your mouth.

24                   MR. LOGAN BAILEY: I'm kind of tall.

25                   COURT REPORTER: Yes.

1 MR. LOGAN BAILEY: Perfect. Great.

2 So, like I said, I'm a member of MPIRG  
3 and we do not support the construction of the  
4 Sandpiper in general, but as this is a routing  
5 hearing I will be sticking to the routing criteria.

6 I wanted to make an aside, a comment that  
7 was brought up earlier about the wild rice. And I  
8 believe he said he heard something in the media  
9 about a year ago, that was likely revolving around  
10 an MPCA study on sulfide effect on wild rice at that  
11 time. About a year ago the funding was going  
12 through the government for it, so that doesn't  
13 actually relate to oil effect on wild rice, but I  
14 would encourage you, while you're reaching out to  
15 the Department of Agriculture, to also, hopefully,  
16 reach out to somebody at the MPCA because they have  
17 also looked at some studies for that.

18 And if neither of them seem to have any  
19 information, I think it would be good to bring them  
20 here and maybe talk about why they don't have that  
21 information. Because I'm looking at the criteria  
22 for pipeline route selection, I'm pretty sure wild  
23 rice would be affected, the possible areas of wild  
24 rice would be section B, C, D, and likely I, and  
25 probably some others. So I think that would be

1        pretty useful scientific information to have while  
2        trying to figure out this route.

3                I have a question about the routing, as  
4        far as this new route being created. Has there --  
5        what was the decision-making between this northern  
6        route and the southern route? It seems like from  
7        what you said earlier this was a pretty  
8        comprehensive look at the northern route because you  
9        said you looked at it pretty thoroughly. I was  
10       wondering if you could discuss the financials  
11       between the two, since, obviously, it's a pretty  
12       deep dive. For the Sandpiper to go on the northern  
13       route -- I assume, you're a for-profit company, you  
14       likely looked at the financials, so I wanted to know  
15       if there was anything you could tell about what  
16       criteria you looked at in determining the route and  
17       the financials between the two routes.

18               MR. BARRY SIMONSON: Okay. Can everyone  
19       hear me? Thanks, Mr. Bailey.

20               We did -- we've been working on this  
21       routing process for quite some time internally. And  
22       as you're aware, we have an existing corridor that  
23       runs through areas such as Bemidji, Grand Rapids,  
24       Cohasset, and other small towns. So when we look at  
25       the routing at this point in time, there's a couple

1 of things with what's been termed the north-south,  
2 south -- the north route and south route for this  
3 project.

4 In terms of that, we do know that there  
5 is existing six pipelines, seven pipelines in some  
6 areas, so there's a lot of congestion in different  
7 areas. You get into population centers like  
8 Bemidji, Grand Rapids, Cass Lake, Cohasset, there's  
9 a lot of -- there's other infrastructure that's been  
10 built up. So the viability, even though a new  
11 pipeline could be built, probably, through that  
12 area, it becomes more cumbersome in terms of those  
13 encroachments with population centers.

14 The other thing, too, is -- and that  
15 plays well with congestion. With regard to the  
16 current -- or the route on the north side going down  
17 to Superior. In terms of the south route that we  
18 looked at, we found that to be a viable route based  
19 on collocation of existing utilities. Whether  
20 it's -- they're foreign in this realm going south,  
21 existing pipeline system, as well as going easterly  
22 in the existing power line corridor for the majority  
23 of it. Obviously, the Enbridge corridor is  
24 collocation also, but those are the reasons why  
25 we've elected not to follow that route accordingly.



1                   The other piece, too, is  
2           constructability. Aside from congestion, but winter  
3           work, areas where it necessitates construction in  
4           the wintertime with the swamps. There's about 30 to  
5           40 miles of winter construction, which would be  
6           perfect this winter, right, but you don't know  
7           seasonality so that becomes a challenge. And then  
8           the south route has about one third to one fourth  
9           less winter construction, which obviously bodes  
10          well -- better for construction, in terms of less  
11          winter construction.

12                   In terms of -- I can just speak to this.  
13          You look at mileage. I won't speak to any costs,  
14          but you look at mileage. Pipelines cost money to  
15          build based on mileage. There's more mileage on the  
16          southern route, but you look at building at a  
17          congested right-of-way also on the north route. So  
18          there's give and take on both sides of the story if  
19          you look at costs, a lot of factors that play into  
20          it.

21                   MR. LOGAN BAILEY: Yeah, as far as  
22          following utility lines in the southern route, and  
23          I'm a little curious if that was the primary reason  
24          why that wasn't taken into account in Carlton  
25          County, although I know that has been adjusted now

1           so I was just curious.

2                       MS. SARA PLOETZ: Mr. Bailey, if you  
3           don't mind, I would like to address a few of the  
4           environmental considerations for the north, south  
5           routes.

6                       My name is Sara Ploetz, I'm with the  
7           environment group at Enbridge. And I've got just a  
8           couple of additional items that I'd like to add to  
9           Barry's description.

10                      I'm sorry, can everyone hear me? Better?  
11           Okay.

12                      Would be a few things. Barry mentioned  
13           population centers like Cass Lake, and I'd also  
14           point out the avoidance of a Superfund site in Cass  
15           Lake, by eliminating going on that northern route,  
16           we're also avoiding the Chippewa National Forest,  
17           which is a very significant portion of that northern  
18           route. And in working with them initially they were  
19           expressing fatigue with us crossing through that  
20           natural resource.

21                      As well as, as Barry mentioned, from a  
22           constructability side, the significant extensive  
23           saturated wetland, that we avoid the impacts to  
24           those as well. So just a few of the environmental  
25           considerations to that decision, on top of the

1           constructability ones.

2                       MR. LOGAN BAILEY: To talk a bit about  
3 the congestion. I know one of the primary reasons  
4 why they said there was a need, you talked about the  
5 Sandpiper being a bottleneck in North Dakota,  
6 getting the oil out. So with this kind of new  
7 corridor and, in essence, that you're creating, I'm  
8 thinking about maybe future pipelines. North Dakota  
9 needs to continue to grow oil exports and since  
10 there's a bottleneck right now there's probably  
11 going to be a desire for more exports in the future.  
12 And so I'm curious if you could speak to, if there  
13 are -- if future pipelines are being proposed and  
14 congestion is such a large issue, it would make --  
15 to me, at least, it seems like from what you're  
16 saying, it would make a lot more sense to follow  
17 this newly created southern corridor. Could you  
18 envision that in the future, that the southern  
19 corridor was more congested, like the northern  
20 corridor has seven or so pipelines.

21                   MR. BARRY SIMONSON: I think I can try to  
22 answer that question.

23                   In terms of, if you look at encroachment,  
24 if you look at population centers like Bemidji,  
25 Grand Rapids, and so forth, there are less populated

1 areas on the southern route that we're proposing at  
2 this point in time with Sandpiper. So in terms of  
3 viability, there's less population centers, you  
4 could expand. Any utility could build another  
5 pipeline or power line on the current route that  
6 we're proposing in the future. I want to point out  
7 also that in the event we as a company are  
8 transporting a product from a shipper to a producer  
9 so it's supply and demand, and the way we've planned  
10 this pipeline out, if there was expansion needed in  
11 North Dakota into -- on the Sandpiper pipeline  
12 through Minnesota, the pipeline is expandible.

13 MR. LOGAN BAILEY: Yes. Okay. So I  
14 guess I just -- do you have any kind of sense, any  
15 prediction in your application for routes of what  
16 the future might be? I'm just looking at it right  
17 now, the potential effect of related or anticipated  
18 future pipeline construction, and that's not  
19 something I feel like has been addressed when I read  
20 through your information about creating a new  
21 corridor and how that might affect future potential  
22 pipeline construction. And I do want that question  
23 to be answered because it is a very important part  
24 of this matter.

25 MR. MARK CURWIN: There we go.

1                   It's not creating a new corridor. As  
2 Barry mentioned, most of that corridor is already in  
3 either pipeline or utility use so it's not really  
4 creating a new corridor.

5                   MR. LOGAN BAILEY: With some areas.

6                   MR. MARK CURWIN: It's --

7                   MR. LOGAN BAILEY: There is some  
8 undisturbed land.

9                   MR. MARK CURWIN: You're right. But most  
10 of it, as we said, most of it is existing utility  
11 corridor. It's not for us to kind of think ahead of  
12 our customers whether we're going to build  
13 additional pipelines. That's a dialogue that goes  
14 on between us and our customers. And so we don't  
15 really -- we can't plan ahead until we have a  
16 conversation with our customers who tell us what  
17 their needs are. So where they're at now, as Barry  
18 mentioned, this is how we design pipelines so that  
19 we can serve a current need that our customers have  
20 identified, but have the ability to expand that  
21 pipeline with very minimal impact in the future  
22 should their needs change and they demand more  
23 transportation capacity.

24                   The nominal numbers in North Dakota are  
25 225,000 barrels a day, that's what the pipeline is

1       being initially constructed to provide in the way of  
2       transportation. With just essentially adding  
3       additional horsepower to that line so you have  
4       minimal environmental impacts, we can take that to  
5       somewhere around 400,000 -- about 400,000 barrels a  
6       day. So should our customers decide in the future  
7       that they need more transportation capacity on the  
8       Sandpiper line, that can be accommodated with very  
9       little future effects and not expanding that  
10      corridor certainly in that way.

11               MR. LOGAN BAILEY: So would you feel it  
12      would be unlikely that the demand would be higher  
13      than that? I mean, I understand that, you know, I'm  
14      trying to ask you to guess the future, I guess.

15               MR. MARK CURWIN: Sure.

16               MR. LOGAN BAILEY: But you guys, you  
17      know, you're a successful company. And it's not  
18      like you're just responding. Surely, surely, you  
19      are trying to protect the future markets, and that's  
20      certainly a part of what your company does. And I  
21      can understand, you know, I don't know how important  
22      this is to the PUC, but it is one of the pipeline  
23      concerns for the routing and, you know, obviously  
24      there's going to be some uncertainty, but I do feel  
25      like at least there should be some statement on

1           what, you know, any potential future pipelines  
2           projects, what the future capacity might be.

3                   MR. MARK CURWIN: For us, that's what I  
4           was saying, is we design in the ability to satisfy  
5           that future demand without having to expand the  
6           corridor again. It would just be with additional  
7           stations along the existing pipeline. So you  
8           wouldn't be expanding that corridor, you wouldn't be  
9           going back and then tearing everything up and  
10          putting another pipe in the ground, you're just  
11          going to build some stations and put a little more  
12          horsepower on the line.

13                   You know, there's many avenues for  
14          producers and shippers in North Dakota to get their  
15          product to market. Other options are rail, which  
16          they're using a lot of. Trucks. There are other  
17          pipelines. So it's almost impossible -- I mean,  
18          it's speculating for us to say, well, we know in ten  
19          years from now there's going to be another pipeline  
20          coming down that corridor. We frankly have no idea.  
21          Because we just serve the transportation requests  
22          that come to us, we don't generate -- the demand for  
23          the transportation capacity is generated by the  
24          other end of that, our customers.

25                   MR. LOGAN BAILEY: Okay. Thank you.

1 MR. MARK CURWIN: You're welcome.

2 MR. LARRY HARTMAN: The next card I have  
3 is for Robert Dusan, Ducant?

4 MR. ROBERT DURANT: Durant.

5 MR. LARRY HARTMAN: Sorry.

6 MR. ROBERT DURANT: I want to thank  
7 Michael Dahl for starting off for the tribal  
8 nations, the Ojibwe people.

9 My name is Robert -- I like to look at  
10 the crowd, okay. My name is Robert Durant, I'm the  
11 secretary-treasurer of the White Earth Nation, it's  
12 a reservation business committee for the tribal  
13 council.

14 As we've been looking at this issue,  
15 Michael talked about the 1855. And there's -- I  
16 know we all got opinions here, I know that, and we  
17 can say what we want. You mentioned 49 U.S.C. But  
18 there's other things that we have to keep in mind.

19 That U.S.C. 25, in 1902 and 1911. The  
20 only ones that are going to be negotiated that can  
21 make the pipelines were mentioned 100 years ago.  
22 Transporting, it's the Secretary of Interior is the  
23 one that has to deal with this when it comes to the  
24 native nations, our sovereign nations.

25 As a tribal council we are not in favor



1 of any of this. You talk about taking the south  
2 line. Do you know where the Itasca park and the  
3 headwaters are? The aquifers? Why is it the  
4 headwaters? Our waters run both ways, in all four  
5 directions. It's not about money, it's about our  
6 water.

7 When we talk about the water and we think  
8 of history, civilizations have failed. They're in  
9 memory now. We need to protect our water. Barry --  
10 or, excuse me, your name, you said two billion  
11 dollars infrastructure. I'm sure that's going to  
12 help the economy for a while. Why can't you take  
13 that money and build a refinery where it's being  
14 dug? Why can't that be done? Why put our lives and  
15 our future in jeopardy?

16 Something that was interesting that said  
17 this was a light fuel that might go through there.  
18 Maybe we'll have stronger pumping stations to push  
19 it through. But in the packet we see abrasive types  
20 of sludge and slurry and whatever. It's like  
21 sandpaper, wouldn't it be, over time? Wearing it  
22 out from the inside even if you don't nick these  
23 lines.

24 Michael said five, five barrels? Or  
25 gallons or whatever. When you're running 400,

1           800,000 gallons through there a day? I can't even  
2           fathom the technology it takes to see the drop in  
3           pressure of something so minute.

4                       What is that going to do? All these  
5           chemicals. With EPA, NEPA, all those issues, when  
6           we're told there's thousands of types of chemicals  
7           that are going to get into the water. 100 feet away  
8           from wells. Everybody don't know where these wells  
9           are. There's 100 years of farmsteads, homesteads,  
10          homes, tribal homes. People through all over. This  
11          stuff gets into -- goes right into your aquifers.  
12          We know that. This is dangerous.

13                      I also sit on the tribal executive  
14          committee for the Ojibwe people with six of our  
15          tribal nations. This is going to be brought to  
16          them, too. Consultation. I was so upset when I  
17          read this in the beginning of it. All these names  
18          of people that were talked to.

19                      The President of the United States has a  
20          proclamation of consultations. The governor has  
21          one. I sat and visited with the assistant secretary  
22          learning and teaching each other about  
23          consultations. We're sitting here where you got one  
24          group of people here and we have people that's not  
25          in favor of poisoning our future. We'll have to

1 take a strong look at this and really get together.

2 This gentleman was talking about  
3 notifying everybody. The only reason I knew about  
4 this a year ago is because I was trying to figure  
5 out why so many people were attacking the President  
6 of the United States for not having a pipeline go  
7 through. I stumbled upon it checking out pipelines.  
8 So if I stumbled upon it, what is your common person  
9 in these areas, your towns and your cities and your  
10 rural areas, what do they know about it? Nothing.  
11 My children and grandchildren, they know nothing  
12 about this.

13 That's why we all have to band together  
14 and stop this stuff. We're killing our earth.  
15 We're trying to protect it. As native people we're  
16 charged to protect it.

17 I just wanted to give you my opinion.  
18 And that's what we're going to be doing. It will be  
19 the Secretary of Interior will be involved with  
20 this.

21 Thank you.

22 MR. LARRY HARTMAN: Thank you. Were you  
23 done?

24 MR. ROBERT DURANT: I'm done.

25 MR. LARRY HARTMAN: Okay. The next

1 speaker is Albert Sims.

2 DR. ALBERT SIMS: Good evening. My name  
3 is Albert Sims, I'm the Director of Operations of  
4 the Northwest Research and Outreach Center just  
5 north of town here at the University of Minnesota.

6 I have two questions, more technical in  
7 nature, so they should be easy. They are kind of in  
8 reference to questions that Francis had earlier and  
9 then the gentleman that just spoke also touched upon  
10 it, too.

11 Francis asked the question about  
12 expansion and contraction. And unless I  
13 misunderstood, the answer had to do with the  
14 pipeline maintaining a constant temperature so that  
15 it didn't expand or contract, I believe. The  
16 question I think he was referring to, and if not  
17 I'll refer to it, then, is the contraction and  
18 expansion of the soil material itself.

19 Even though the soils on the surface tend  
20 to be sandy they can be clay down at that four-foot  
21 depth. And these soils, actually, as they dry out  
22 they shrink, as they wet they swell back up. So my  
23 question has to do with the flexibility of the  
24 pipeline. Because I think everybody who has a  
25 basement in this country can attest to the movement

1       that goes on. So when we think about leakage, we  
2       think about the maintenance on the 62 line -- or 81  
3       line, I guess it is. What is the technology  
4       associated with a pipeline to adjust for these  
5       shrink/swell clay soils?

6               MR. BARRY SIMONSON: Well, thanks for the  
7       question. In terms of, and I did reference the  
8       temperature, it's not as much with that in terms of  
9       expansion and contraction. If you look at the steel  
10      properties, we use high grade materials. On this  
11      pipeline you can see in the application we're using  
12      X70, which is 70,000 psi yield strain. And so  
13      pipelines, everyone thinks of steel as being rigid,  
14      it doesn't move. And if you ever saw a directional  
15      drill installation, when we design directional  
16      drills, which will be a lot of water bodies,  
17      railroads, the Red River, Red Lake River, and a lot  
18      of rivers, that steel, the steel can bend, there's a  
19      radius to it. And that's how it can solve a lot of  
20      cases. So steel is not just rigid in terms of that,  
21      but what we do in terms of calculations, like  
22      longitudinal stress calculations, there's live load  
23      calculations that are done that ensure that pipes  
24      installed at -- and more so, more important is like  
25      directional drills, where we do have a radius on a

1 pipe, where it actually does bend, and the  
2 installation is not straight, it's actually a curve.  
3 All those engineering calculations are done and in  
4 accordance with API, American Petroleum Institute,  
5 American Association of Mechanical Engineers, B318,  
6 and per the regulations.

7 So, that was a long-winded answer, but  
8 natural gas pipelines operate at four feet of cover,  
9 crude oil pipelines operate at four feet of cover  
10 and deeper, so there really is no issue with that.

11 DR. ALBERT SIMS: Okay. Thank you. I  
12 knew mathematics is a wonderful thing, so I knew  
13 that the engineering had covered it, but I  
14 appreciate the answer.

15 The second question I have is for this  
16 gentleman here, I don't remember your name, I'm  
17 sorry.

18 MR. ART HASKINS: Art.

19 DR. ALBERT SIMS: It had to do with  
20 monitoring the flow and the pressure. And my  
21 question is the sensitivities of those measurements.  
22 And the gentleman that spoke right before me  
23 referenced to detect five gallons with a pipeline of  
24 this size, I know instrumentation is very precise,  
25 but what exactly is the sensitivity? If you could

1 describe that. Thank you.

2 MR. ART HASKINS: So it can be -- my name  
3 is Art Haskins, emergency response.

4 The sensitivity of the control system can  
5 be set down to .0001, but at that rate you would  
6 have, as our control center manager explained to me,  
7 we'd have almost continuous alarms just because,  
8 once again, as fluid flows, temperature changes, and  
9 we'd notice that small amount.

10 So I'm going off of what they've used and  
11 what they've seen in their practice to where it's  
12 set at now. The system is not just the flow meters.  
13 There's a -- once again, a computational system that  
14 looks at the process, looks at the statistical  
15 delivery, and actually the wave function as it's  
16 pumped through the pipe. And to test that, to  
17 actually commission it when they first start, they  
18 do go and open up a quarter-inch valve hole and put  
19 a bucket there and it will alarm at a five-gallon  
20 amount. It senses that loss.

21 On a regular basis it has not detected a  
22 release in North Dakota, but it has alarmed for  
23 release whenever they fill a pig trap, so when  
24 they're ready to send this down they have to put  
25 some oil into that section of pipe where they loaded

1 the pig, it would alarm at that point. And the same  
2 thing with the sump, when they have oil go into a  
3 sump, that loss of those, once again, just a few  
4 gallons, it alarms at that.

5 So they have a sensitivity check on that  
6 and then they know what's going on at the same time  
7 so they can adjust for all of that. But it's a very  
8 sensitive system and it's all the way down to that  
9 small amount, if necessary.

10 DR. ALBERT SIMS: Thank you.

11 One other question that came up with one  
12 of the gentlemen I was sitting with. Much of this  
13 pipeline, at least through the Red River Valley it's  
14 going to go through agricultural land. And I  
15 personally have not checked on data that's  
16 available, but when you disturb the soil, you're  
17 going to take off the topsoil and then work with the  
18 material underneath and then repacking and put the  
19 topsoil back on. Do you have numbers on the  
20 production loss over the -- potential -- over the  
21 actual pipeline and for the length of time that that  
22 is affected?

23 The reason I ask is there is a water --  
24 there's a storm sewer line that goes through  
25 University property just to the south and the west



1 of here. And I think that was put in back in the  
2 '60s. And while we can't really detect -- it goes  
3 across our field, but we can see that from the air,  
4 so I didn't know if you had done some of that work  
5 in some of your previous projects.

6 MR. MARK CURWIN: I have been around for  
7 a long time and working on projects and I can't  
8 think of any of that kind of data where we've gone  
9 out and collected it ourself. You know, what  
10 happens once we have a pipeline on somebody's  
11 property, especially ag land, or any land, we  
12 continue to be engaged with that landowner, then, as  
13 long as we're there operating that line. And if  
14 somebody was having those types of issues, obviously  
15 farmers are a lot smarter these days with their  
16 production rates, right, with the technology, so  
17 it's improved in many ways, and so those are  
18 conversations that we would -- if we needed to have  
19 them we would have them essentially on an individual  
20 basis with each landowner.

21 DR. ALBERT SIMS: Thank you. 'Cause with  
22 today's technology, they're going to be able to  
23 drive right over the line with their combines and be  
24 able to till almost within every 30, 40 feet.

25 MR. MARK CURWIN: Right. And what we try

1 to do, kind of a standard part of our compensation  
2 package when we're negotiating easements up front,  
3 that we have a 250 percent crop loss payment that  
4 we're prepared to pay up front, so essentially it's  
5 a declining rate, 100 percent year one down to 25  
6 percent in year four, and our general experience is  
7 that by year four everything is working fine.

8 DR. ALBERT SIMS: Okay. Thank you very  
9 much. I appreciate it.

10 MR. LARRY HARTMAN: I have a couple  
11 points I'd like to add to that.

12 A number of years ago we did have a  
13 pipeline in southern Minnesota that crossed a fair  
14 amount of agricultural land. And there was some  
15 issues on that, and I think the Department of Ag did  
16 a study on that with respect to, it might have been  
17 a five-year analysis of crop losses on that. And in  
18 some cases it showed, you know, a small decrease,  
19 other cases it showed I think no difference. And,  
20 again, this is the same sort of thing in terms of  
21 compensation, 250 percent de-escalating down to 25  
22 percent year five, and then it might have been  
23 evaluated on a case-by-case basis beyond that also.  
24 But I can do some checking to see if I can find some  
25 studies that might be more recent or more current

1           regarding that for other projects.

2                       And with regard to you talked about the  
3 flexibility of steel in something Barry had  
4 mentioned. And just to elaborate on it, I don't  
5 follow the steel specifications in the federal  
6 regulations, but I don't know if they've been  
7 updated recently or not. But also, you've had a lot  
8 of technological advances with regard to  
9 manufacturing of steel where the quality has gotten  
10 a lot better and it shows up in pipelines and other  
11 things like that. So you're getting a much better  
12 quality product now than you got years ago, too,  
13 just because manufacturing has improved. So you get  
14 a higher quality steel, it comes with the thin film  
15 epoxy coating on it now, there's cathodic protection  
16 also. So there are a number of standards that are  
17 met. And a lot of times the standards used by  
18 companies might exceed or will exceed the federal  
19 safety standards also. And also companies are being  
20 much more proactive now, too, on their integrity  
21 management programs, probably at the direction of  
22 the federal Office of Pipeline Safety also.

23                       DR. ALBERT SIMS: Okay. Thank you.

24                       MR. LARRY HARTMAN: As long as I'm  
25 mentioning pipeline safety, they maintain a fairly

1 detailed database which they update once a year  
2 based on leak incidents. And that's done by -- if  
3 you go into the Department of Public Safety, the  
4 Department of Pipeline Safety, you can find links of  
5 pipeline in each county, number of instances  
6 reported. So there's a very kind of robust public  
7 record there of what the issues are with pipelines.  
8 It doesn't tell you where they are, actually you can  
9 find them on county maps, but you can find a lot of  
10 information there about pipeline history also.

11 DR. ALBERT SIMS: Thank you.

12 MR. BARRY SIMONSON: One thing I'd add.  
13 You know, we're in the business, right now we're  
14 building a lot of pipelines. And so we have  
15 preferred vendors for pipe production. And with  
16 that, with those preferred vendors, they are  
17 dictated to produce the pipe to the specifications  
18 that we provide to them. And in doing so, that  
19 ensures the quality of the product that we're  
20 getting. Not just from the steel that's there, but  
21 to the coaters that are adjacent to that facility  
22 for the fusion epoxy application. So that's one  
23 thing that we pride ourselves with, is that quality  
24 inspection at the mill with the company so that when  
25 the product is in the field, it's up to snuff.

1                   In addition, there's a safety factor when  
2                   we design our pipeline. So it's part of CFR 195 --  
3                   Code of Federal Regulations -- where the design  
4                   factor in the U.S. is .72. So there's a safety  
5                   factor that's built in. And if you look at the pipe  
6                   wall that we're choosing for the 24-inch and the  
7                   30-inch, you actually increase the wall thickness to  
8                   a more standard or upsized wall thickness. So it's  
9                   higher than what it actually should be or could be  
10                  just for that. So the safety factor, plus we're  
11                  increasing the wall thickness to the point where  
12                  we're comfortable with it.

13                 DR. ALBERT SIMS: Okay. Thank you, I  
14                 appreciate it.

15                 MR. LARRY HARTMAN: Are there any other  
16                 questions? I don't have any more speaker cards.  
17                 Yes, sir.

18                 MR. MARIO LAPLANTE: I've got one  
19                 follow-up. Talking about the pipeline monitoring,  
20                 and I can't tell you the farmer or the location, but  
21                 I know where the farmer discovered the leak before  
22                 the pipeline company was aware of it and it  
23                 contaminated, I forget how many acres. How did that  
24                 happen?

25                 MR. ART HASKINS: All right. I can

1 address that.

2 The line was not -- it was not an  
3 Enbridge line, it's regulated as a gathering line or  
4 an unregulated line. It's not a regulated  
5 interstate pipeline. And so I can't speak exactly  
6 to what happened at that, that's still under  
7 investigation. But they don't fall under the same  
8 state of pressure and other pressure regulations or  
9 flow regulation types of rules as our pipeline does.

10 So to the best of my understanding that  
11 is not a pressure-regulated pipeline, so that's one  
12 of the reasons why that can occur, where that same  
13 type of thing could not occur on our pipeline.

14 MR. MICHAEL DAHL: Giikwekii Gabo,  
15 Michael Dahl, again.

16 Hopefully I can get an answer to one of  
17 my questions. And this one is, is there an idea of  
18 an alternative route already, that maybe we can see  
19 what an alternative route is, like, right now all  
20 we're seeing is the preferred southern route, that's  
21 all we see everywhere we go. Is there already an  
22 alternative route that's already in mind? Because,  
23 like we all know, you're a business, you're a  
24 corporation, you're thinking ahead, if that's even  
25 something that can be shared? Is there an

1 alternative route in Enbridge's mind in -- other  
2 than the preferred southern route?

3 MR. MARK CURWIN: The short answer is no.  
4 We think this is the best choice.

5 MR. MICHAEL DAHL: Wow.

6 MR. JOHN GASELE: My name is -- my name  
7 is John Gasele, I'm outside counsel from a law firm  
8 in Duluth, Minnesota, the Fryberger Law Firm that's  
9 helping the company with the application process.

10 One thing that I wanted to mention is  
11 that the application documents do have a lot of  
12 additional information in there. And one section in  
13 the environmental information report does look at  
14 other routes that were examined in the planning  
15 process, so it wasn't a matter of picking a line on  
16 a map, a lot of other things were considered and  
17 reasoned.

18 MR. MICHAEL DAHL: And that's why I'm  
19 asking, because I understand, I've seen all the  
20 preparation that went into the preferred southern  
21 route. I've seen all that. Now I'm curious on, you  
22 know, the people aren't as ill-knowledged anymore as  
23 they were even 10 years ago, even five years ago.  
24 You know. So a lot of us are a lot more prepared  
25 and more familiar now with the PUC process and the

1 way that these things happen. And some of us are  
2 already thinking two, three steps ahead. On the  
3 next comment period, on the next meeting, on those  
4 kinds of things. And that's why I ask if there's  
5 something -- 'cause, there again, how presumptuous,  
6 you know, that that's the only route that's being in  
7 consideration right now.

8 MR. MARK CURWIN: It's not presumptuous,  
9 we've done our own analysis to come to the  
10 conclusion that we think this is the least impactful  
11 route. That's what we put in front of the PUC. And  
12 it will be up to the PUC to review the information,  
13 work through it, look at their standards, and they  
14 will either agree with us or they won't agree with  
15 us.

16 MR. MICHAEL DAHL: Okay. And then going  
17 along with that, again, with this being the least  
18 impacting route, okay. It's already been stated  
19 that the impacts of following the current Highway 2  
20 corridor, line 67, Alberta Clipper and those other  
21 six lines there, how is it -- maybe this is an  
22 environmental question. You know, crossing the  
23 Mississippi River twice that I know of, pretty sure  
24 at least twice, and running within such a close  
25 vicinity to not just the Mississippi, but the mouth



1 of the Mississippi, how could that risk factor not  
2 be of a substantial environmental concern, being a  
3 national treasure? The headwaters of the  
4 Mississippi, how is that not an environmental  
5 concern?

6 MS. SARA PLOETZ: Thanks, Michael.  
7 Again, this is Sara Ploetz, I'm with the environment  
8 group in Enbridge.

9 So we do cross the Mississippi River  
10 twice in the proposed Sandpiper project, and we are  
11 working with the Mississippi Headwaters Board for  
12 those crossings. We're still in consultation with  
13 them. We haven't gotten through that process  
14 entirely yet, like some of our permits. And we are  
15 also working with the local government units that  
16 would be responsible for the areas of those  
17 crossings in each county. With the Army Corps of  
18 Engineers, the Minnesota Department of Natural  
19 Resources, all of the appropriate entities that  
20 would approve crossings, we have reached out and  
21 begun those conversations with them at this point.

22 I also wanted to point out to the group  
23 that Section 2 of the environmental information  
24 report is where we do address five other route  
25 alternatives.

1 MR. MICHAEL DAHL: Okay. Thank you.

2 MS. SARA PLOETZ: You're welcome.

3 MR. BARRY SIMONSON: Now, I have one  
4 follow-up, if I may, Michael.

5 In terms of Sara mentioned a lot of the  
6 complications with environmental agencies, but in  
7 terms of engineering and construction and you talk  
8 about the Mississippi River, you know, we put forth  
9 much effort in terms of design of the pipeline with  
10 regard to safety and integrity and operational  
11 reliability. That being said, at both of those  
12 crossings we have valves planned for the upstream  
13 and downstream of both of those locations.

14 MR. MICHAEL DAHL: Okay. And so what  
15 about like the quality of the pipe? Is there  
16 different levels of pipe grade? You know, like  
17 those of us -- a lot of us are, you know, we're old  
18 people, we're familiar with plumbing. So we'll use  
19 that as a metaphor. When we plumb for our kitchen  
20 sink, it's different pipes than what we use for our  
21 toilets. You know, totally unintentional metaphor  
22 there, but are you prepared for plumbing for the  
23 toilets versus just plumbing for the kitchen sink?

24 MR. BARRY SIMONSON: We're planning on  
25 plumbing for the entire pipeline, if you will. In

1 terms of the yield strength, it's the same, it's 70  
2 pipe. In terms of wall thicknesses for crossings  
3 such as the Mississippi River and the Red River and  
4 the Red Lake River where we will have directional  
5 drills, we're increasing the wall thickness from --  
6 24-inch, we're going to a half-inch wall thickness,  
7 and 30-inch we're going to a .625-inch wall  
8 thickness.

9 MR. MICHAEL DAHL: So the .625 is just  
10 over a half-inch, then.

11 MR. BARRY SIMONSON: That's correct. In  
12 addition to that, on the fusion bond epoxy, which is  
13 the predominant coating on the main line pipe, on  
14 the directional drills we're putting an additional  
15 30 to 50 mils of abrasion-resistant coating, which  
16 obviously, hence, the name abrasion, it allows for  
17 any abrasiveness of pulling a pipe through a  
18 directional drill crossing in order to accommodate  
19 integrity.

20 MR. MICHAEL DAHL: Is there any way  
21 possible that in the future even, I mean, we'll have  
22 a week after tomorrow between these two days and  
23 then the Park Rapids, Pine River tour the next two  
24 days next week, that there could be an example?  
25 Because the thing of it is is that here we are, a

1 lot of people in Minnesota are totally unaware about  
2 the pipelines, period. They know the pipeline, but  
3 they don't know what's going through it. It's not  
4 common knowledge, is what I'm trying to say. So  
5 therefore even a half-inch pipe, you know, and what  
6 that metal and these numbers and the jargon, you  
7 know, the jargon. I'm giving you advice, actually.  
8 The jargon that you guys use with us, if you had  
9 some sort of way to make that more accessible to  
10 people in understanding of what this pipe looks like  
11 might ease our nerves. Probably not, but it might  
12 for some people if we actually saw what this pipe  
13 looks like. Tioga, not your pipe, but that was a  
14 six-inch pipe. Six inches. By the time it gets  
15 here, 24 inches. By the time it gets to my  
16 reservation, 30 inches. So seeing these kind of  
17 references, other than just a picture, if I could  
18 touch a pipe -- well, I suppose I could go to  
19 Pinewood and do that since it's exposed there. I  
20 could go to Cass Lake and do that because the pipe  
21 is exposed there. I could go next to Superior, in  
22 between Carlton and Superior where I sat on a pipe.  
23 We can do that. Yeah. So if you guys want to see a  
24 pipe, let me know. I'll show you where there's  
25 exposed pipes that are Enbridge's pipes.

1                   Thank you for answering a couple of my  
2                   questions.

3                   MR. LARRY HARTMAN: Thank you, Michael.

4                   Michael, if I might add a couple of  
5                   points. You know, again, the rules require Enbridge  
6                   to have a preferred route and show consideration of  
7                   alternative routes. So basically we've asked them  
8                   to come in with your best shot at it. They've  
9                   looked at five or six others, hopefully they've done  
10                  enough documentation that we want to see what their  
11                  thought process was in terms of why is this  
12                  eliminated and why is this eliminated.

13                  In terms of a pipeline, basically, you're  
14                  looking at two end points. Point A, point B. And  
15                  there's probably no such thing as a good  
16                  right-of-way. What you look for is the best of the  
17                  worst. And for the police officers back there, it's  
18                  probably like criminals. There are bad criminals  
19                  and there are probably criminals who aren't so bad  
20                  but they're still criminals. You know, a pipeline  
21                  is a pipeline. Now, pipelines carry a variety of  
22                  products. You've made the analogy of a plumbing  
23                  system, okay, you've got sewer pipes, water pipes,  
24                  other types of conduits. Natural gas pipes,  
25                  electrical conduits, there's all sorts of pipes.

1           They're all designed with safety in mind.

2                       Now, whether the pipe crosses the  
3           headwaters of the Mississippi or someplace else, the  
4           pipe is still designed to a relatively high  
5           standard. The standard may not change just because  
6           it's here versus there. The pipe has to meet --  
7           well, they've proposed certain design standards,  
8           they appear to be acceptable standards, so that's  
9           perhaps a reasonable starting point.

10                      Now, again, as Barry mentioned, they're  
11           going to increase the wall thickness of the pipe at  
12           river crossings and other things like that. A  
13           gentleman here from MnDOT earlier mentioned casing.  
14           A lot of times railroads used to require casing,  
15           which means you have a pipe and you push your pipe  
16           through it. Well, the pipe leaks and you've got  
17           casing there to please the railroad, it doesn't  
18           really work very well to address pipeline safety  
19           concerns. So casing is falling out of -- you know,  
20           casing is perhaps out of favor with pipeline safety  
21           regulators from a safety side, 'cause they haven't  
22           really been proven over the years to increase or  
23           have a beneficial effect on safety. In fact, if  
24           anything, it's probably a little bit detrimental in  
25           case there is a situation where you have to get in

1           there and respond to the situation at hand.

2                       So, again, there's a lot of thought that  
3 goes into that, and it's not to say that it's right  
4 or wrong, it's just what they've proposed. So look  
5 at this process as an opportunity if you have better  
6 ideas where it can go, that's what we certainly want  
7 to find out. And I can probably tell you it won't  
8 fit. Does that help a little bit?

9                       MR. MICHAEL DAHL: Yeah, it does. Yeah.  
10 I really like the analogy of good criminal, bad  
11 criminal, still a criminal.

12                      MR. LARRY HARTMAN: Well, I mean, there  
13 are degrees of everything. Now, again, you may not  
14 like pipelines, but they're still designed to  
15 operate at a safe standard. Now, that determination  
16 is then made by the federal Office of Pipeline  
17 Safety and state Office of Pipeline Safety. You may  
18 not like it, but that's what the standards are.

19                      And, actually, I think the federal Office  
20 of Pipeline Safety has been a lot more active  
21 lately. Here the state office works with the  
22 regional office out of Kansas City, as I recall.  
23 And, again, Enbridge, like a lot of the other  
24 companies, stepped up a lot of their integrity  
25 management programs on the old pipe. And typically,

1       you know, the rate of failure on those, let's say  
2       it's reasonably high in a lot of those different  
3       sized pipes, a lot of the failures stem from  
4       predominantly longitudinal -- what's called  
5       longitudinal seam failure. And, again, as I  
6       mentioned earlier, the biggest probably factor for  
7       pipelines, in terms of safety, is third-party  
8       incidents, where people are just doing something but  
9       haven't gone through the authorization to get a  
10      marking of locations, you know, where those  
11      facilities are.

12               Now, again, the federal government  
13      requires that there be road signs at every pipeline  
14      crossing. So as you drive along the road and you  
15      see a sign, it might be Enbridge's kind of color,  
16      kind of orange-yellow, there will be a toll-free  
17      number there to call. Northern Natural Gas has  
18      those, Viking Gas has those on their pipelines so  
19      they're all kind of dealt with.

20               Now, when it comes to mapping, the feds  
21      don't make maps available as to where the pipelines  
22      are, but if you have half a brain you could figure  
23      it out if you can read a road sign 'cause it'll tell  
24      you there's a pipeline crossing.

25               Are there any other questions anyone has?



1 Yes, ma'am, back there.

2 MS. ALYSSA HOPPE: (Inaudible - no mic.)

3 MR. LARRY HARTMAN: First of all, please  
4 identify yourself, and why don't you step up.

5 MS. ALYSSA HOPPE: Great. Hello. My  
6 name is Alyssa Hoppe. I live in Duluth, Minnesota.

7 COURT REPORTER: Can you spell your name,  
8 please?

9 MS. ALYSSA HOPPE: A-L-Y-S-S-A,  
10 H-O-P-P-E. Can everyone hear me okay back there?  
11 Yep?

12 Okay. So my first question is about  
13 easements. And it sounds to me like Enbridge has  
14 gone ahead and started to obtain those easements,  
15 right?

16 MR. ART HASKINS: That's correct.

17 MS. ALYSSA HOPPE: Okay. So this is a  
18 big risk to Enbridge, am I correct? To go out and  
19 obtain easements that you don't actually know you'll  
20 be able to use in the future is a big risk, it costs  
21 a lot of money to Enbridge to do that, correct?

22 MR. MARK CURWIN: There is certainly a  
23 cost associated with that. Is it a big risk? I  
24 wouldn't characterize it that way, but yes, there is  
25 a cost associated with that.

1 MS. ALYSSA HOPPE: You wouldn't? Okay.  
2 Well, one of your senior right-of-way agents who is  
3 a contractor, and for his safety I will not disclose  
4 his personal information, told me that there are a  
5 lot of staff people who have been hired, contractors  
6 who have been hired to obtain these easements. So  
7 that in itself is a big cost. Plus, I'm sure there  
8 are legal costs that go along with that as well. Do  
9 you have an estimate about how much money you guys  
10 are actually spending currently to obtain easements  
11 before you actually know you can use them?

12 MR. MARK CURWIN: I do not.

13 MS. ALYSSA HOPPE: Is there a way that we  
14 could see that information? Is that a private or a  
15 trade secret?

16 MR. MARK CURWIN: That's probably  
17 something that we're not going to be --

18 MS. ALYSSA HOPPE: Okay.

19 MR. MARK CURWIN: -- not willing to  
20 disclose at this point in time, obviously.

21 MS. ALYSSA HOPPE: Okay. So it seems to  
22 me Enbridge is going out of their way to obtain  
23 something that they don't actually know they'll be  
24 able to use. Yet simultaneously the federal process  
25 of contacting tribal governments has not yet

1           happened. And my question is, can the state really  
2           move ahead with -- beyond the federal permit  
3           processing, which would require consultation with  
4           the tribes to allow Enbridge to obtain these  
5           easements? That's legal?

6                     MR. MARK CURWIN: You've mixed a lot --  
7           you've mixed a lot of issues there, I'll see if I  
8           can parse them out.

9                     The federal consultation occurs in  
10          conjunction with the Corps permitting process, where  
11          the Corps has jurisdiction for this proposed route.

12                    MS. ALYSSA HOPPE: Right.

13                    MR. MARK CURWIN: So that's a process  
14          that runs --

15                    MS. ALYSSA HOPPE: Separately.

16                    MR. MARK CURWIN: Correct.

17                    MS. ALYSSA HOPPE: Parallel to the PUC  
18          process.

19                    MR. MARK CURWIN: Correct. The PUC, or  
20          any state government, doesn't give us the authority,  
21          so to speak, to acquire an easement. We go and  
22          knock on the door of the landowner where we propose  
23          to put the pipeline, and sit down with them and we  
24          make them an offer.

25                    MS. ALYSSA HOPPE: Right. So the state

1 doesn't necessarily grant you the right to do that.  
2 But before federal permitting happens, you're  
3 allowed to go in and buy easements, like that  
4 process happens? And that's what you're telling me,  
5 is that process does happen before the federal  
6 permitting process occurs?

7 MR. MARK CURWIN: It's part of your  
8 planning process for your project, obviously, is you  
9 have to figure out where you can acquire an  
10 acceptable route. And the only way to do that is  
11 you have to go and approach landowners.

12 MS. ALYSSA HOPPE: Okay. So there are a  
13 lot of landowners that are also tribal members, and  
14 so I'm just curious as to why Enbridge would take  
15 what I've been told by one of your consultants is a  
16 big risk to Enbridge, you know, before actually  
17 reaching out to someone who will have a large say on  
18 whether or not this will actually get permitted.

19 MR. MARK CURWIN: Again, I think you've  
20 got a few things mixed there, so let me see if I can  
21 clear it up.

22 MS. ALYSSA HOPPE: Okay.

23 MR. MARK CURWIN: My understanding, and I  
24 can be corrected if somebody else may know better  
25 than me, we do not cross any tribal lands with this.

1 MS. ALYSSA HOPPE: Ceded territories,  
2 excuse me.

3 MR. MARK CURWIN: And that's a different  
4 issue. That's the consultation process.

5 MS. ALYSSA HOPPE: Right.

6 MR. MARK CURWIN: And that, regardless of  
7 what comes out of the consultation process, any  
8 individual private landowner is certainly within  
9 their legal rights, since they own the property, to  
10 grant us an easement or not. That's a contract  
11 between Enbridge and the landowner. And that's  
12 purely a conversation between us and the landowner.

13 MS. ALYSSA HOPPE: But there are hunting,  
14 gathering, and fishing rights that are for ceded  
15 territory, so that is a separate process, and also  
16 important to Enbridge being able to do this,  
17 correct? I mean, you have to get tribal approval  
18 based on federal law in ceded territories because of  
19 the Chippewa treaties.

20 MR. MARK CURWIN: We're required to do  
21 the consultation through the 106 process. That's  
22 what we're required to do and that's what we do.  
23 And the federal government manages that and brings  
24 all the appropriate parties to the table to have the  
25 conversation around those usufructuary rights,

1           that's correct.

2                       MS. ALYSSA HOPPE: Okay. So the question  
3 then is, Enbridge as a company feels that it makes  
4 more sense for them to contact landowners who don't  
5 fully understand necessarily the details of the  
6 science and the law behind these projects before you  
7 actually are in conversation even with tribal  
8 governments.

9                       MR. MARK CURWIN: You're making some  
10 broad generalizations there.

11                      MS. ALYSSA HOPPE: I'm asking, I'm not  
12 generalizing, I'm asking you a question.

13                      MR. MARK CURWIN: That's not a question.

14                      MS. ALYSSA HOPPE: Do you obtain  
15 easements without communicating with tribes in ceded  
16 territories?

17                      MR. MARK CURWIN: I'm not sure what  
18 you're getting at. We have defined the route and  
19 we're approaching -- the person who owns that  
20 property is entitled, since they own the property,  
21 to have a conversation with us about whether they  
22 want to -- want to allow us to purchase an easement.  
23 That's what we're doing.

24                      MS. ALYSSA HOPPE: Yes. Yes. Okay. So  
25 you move -- the state process is moving quicker than

1 the federal process.

2 MR. MARK CURWIN: It's not a state  
3 process. Acquiring an easement is not a state  
4 process.

5 MS. ALYSSA HOPPE: Okay. Oh, I see.

6 MR. MARK CURWIN: That's a private  
7 transaction between two parties.

8 MS. ALYSSA HOPPE: So Enbridge itself,  
9 though, thinks that before obtaining federal  
10 approval, that it makes sense to obtain easements  
11 that they can't guarantee they'll use. So they are  
12 making a risk to obtain easements they don't know  
13 they'll use.

14 MR. MARK CURWIN: They're not connected.  
15 You're connecting them and they're not connected.

16 MS. ALYSSA HOPPE: Okay. Well, I think  
17 we will be talking more about that, because I think  
18 there is a connection between the two processes that  
19 are taking place. Because they seem really  
20 separated, right, this is a state process, yet we're  
21 not really getting a lot of answers on how the  
22 federal process connects to this. And what we're  
23 being told is that it's not within your jurisdiction  
24 to discuss it and this is about the routing permit.

25 But there are a lot of people who have a

1 lot of questions and we're not getting answers. And  
2 this was explained as an opportunity to have  
3 comments and questions. And it seems like there's a  
4 lot of information that's missing that we're not  
5 able to even get here.

6 MR. MARK CURWIN: Well, maybe we can  
7 elaborate on maybe just trying to keep it, I guess,  
8 a little bit more general in the way of what comes  
9 out of the 106 process. What comes out of the 106  
10 process is not connected to a private transaction  
11 about an easement on somebody's property.

12 MS. ALYSSA HOPPE: If it's on ceded  
13 territory --

14 MR. MARK CURWIN: It's not connected. It  
15 may be ceded territory, but it's owned private.

16 MS. ALYSSA HOPPE: Okay. So I think  
17 that's something that we will have an ongoing  
18 conversation about. Because it's my understanding  
19 that that's not exactly how the law works with the  
20 agreements that were made in those ceded  
21 territories.

22 So my next question is about the -- you  
23 guys said that for the preferred route that this was  
24 the best option. And there's this map in the back  
25 about clean waters in Minnesota, and I don't know if



1           you guys had an opportunity to see this. Did you  
2           guys see this at all? Would you like to see this?

3                   MR. MARK CURWIN: I think we're all  
4           familiar with the map of Minnesota.

5                   MS. ALYSSA HOPPE: She just shook her  
6           head. So it's not just a map of Minnesota, it's a  
7           map of --

8                   MR. MARK CURWIN: All the waters.

9                   MS. ALYSSA HOPPE: All of the waters and  
10          how clean they are.

11                  MR. MARK CURWIN: Sure.

12                  MS. ALYSSA HOPPE: And, you know, where  
13          this is going through --

14                  MR. MARK CURWIN: Sara, you can talk to  
15          the analysis we do regarding identifying --

16                  MS. ALYSSA HOPPE: Can I finish what I  
17          was saying? Is that okay?

18                  MR. MARK CURWIN: Sure.

19                  MS. SARA PLOETZ: Sure.

20                  MS. ALYSSA HOPPE: Okay. So, I mean, it  
21          looks to me like you guys have this preferred route  
22          going through some of the cleanest waters in  
23          Minnesota. And so to have that be a preferred route  
24          seems strange.

25                   Can someone explain, you know, when there

1 are, you know, waters that have already been  
2 impacted down here, and when this is sensitive water  
3 to the entire world, why this makes the most sense?  
4 I mean, you know, and is the preferred route based  
5 on what would happen if all goes to Enbridge's plan  
6 and there are no spills? Or does that take into  
7 consideration the preferred route based on if a  
8 spill would happen?

9 MS. SARA PLOETZ: Again, my name is Sara  
10 Ploetz, I'm with the environment group.

11 In regards to initial, you know, wetland  
12 and water body discussions. So we do field  
13 delineations along our proposed route of all wetland  
14 and water bodies to identify where they're located,  
15 the types of wetlands they are, the types of water  
16 bodies they are. And we use that information to  
17 inform permitting provisions and working with all of  
18 the appropriate state and federal agencies, as well  
19 as local. I had mentioned the Mississippi  
20 Headwaters Board, for example, the county, local  
21 government units, soil conservation districts,  
22 Minnesota Department of Natural Resources, Army  
23 Corps of Engineers, just to name a few of the  
24 entities that we work with to determine the  
25 appropriate permitting and crossing of all of those

1 water features, as well as the Minnesota Pollution  
2 Control Agency for impaired waters list. So we  
3 gather all that information from the entities and  
4 field delineation to make those informed permitting  
5 decisions that also allow us to discuss with  
6 engineering and other folks on routing decisions,  
7 where we do need to avoid sensitive features, where  
8 we need specific crossing techniques. And we're  
9 working with the agencies to determine what those  
10 crossing techniques are for the water bodies that  
11 they have jurisdiction. It's a process that has not  
12 been completed yet, it's ongoing, and we'll continue  
13 to work with them on that process and what those  
14 measures will be for crossing, for protection during  
15 the construction process, as well as long-term  
16 monitoring and compensatory mitigation of all of  
17 those sites.

18 So, absolutely, we've studied the route,  
19 the southern route, as folks have been calling it,  
20 in detail, and are working on obtaining all of those  
21 permits and approvals within our regulatory  
22 framework.

23 MS. ALYSSA HOPPE: Okay. So my concern  
24 with that is that currently we are using standards  
25 that have allowed for pipelines to spill and allowed

1           for corporations to not completely clean up. So  
2           that is a concern.

3                       I appreciate you guys bearing with me  
4           and, like I said, this is a very confusing process  
5           for me. I imagine it's confusing for a lot of the  
6           people who are also very new to this. So I  
7           appreciate you guys actually being willing to work  
8           with us and help us understand this.

9                       I was speaking to a woman who does  
10          pipeline safety and she was talking about using  
11          bores. Could you guys speak to that?

12                      MR. BARRY SIMONSON: Yeah. Ms. Hoppe, in  
13          terms of your question with bores, a bore, or what  
14          we term is -- there's HDDs, or there's horizontal  
15          directional drills, HD or guided bores which are  
16          smaller, shorter drills, as well as bores. Those  
17          are all trenchulous installation methods. Being  
18          that there is an entry --

19                      MS. ALYSSA HOPPE: Can you use a language  
20          I can understand? I'm sorry. But I really am  
21          trying to figure this out and it seems like a big  
22          problem is that the people you're trying to explain  
23          this to, we're not experts and we shouldn't have to  
24          be the people who are experts. We need to be able  
25          to communicate in a way that we actually understand,

1           where we don't feel belittled by the language you  
2           guys use 'cause we don't understand it.

3                   MR. BARRY SIMONSON: Oh. My apologies, I  
4           don't mean to belittle anyone with what we're  
5           talking about.

6                   MS. ALYSSA HOPPE: I apologize, I --

7                   MR. BARRY SIMONSON: So in terms of think  
8           about a road, and a utility, being a pipe, goes  
9           underneath a road without impacting the  
10          transportation, without impacting the integrity of  
11          that road. So think of the road not being  
12          excavated. We're not going to have a 36-inch-wide  
13          ditch going right through a road. We're actually  
14          drilling a pipe -- think of drilling in a horizontal  
15          fashion with a radius underneath a road. And then  
16          once that -- there's a small hole that's made, then  
17          a bigger hole, and then a large enough hole so the  
18          pipe's on one side, and then we actually pull it  
19          through that hole with equipment.

20                  MS. ALYSSA HOPPE: Okay.

21                  MR. BARRY SIMONSON: Does that make  
22          sense?

23                  MS. ALYSSA HOPPE: Yep.

24                  MR. BARRY SIMONSON: Okay.

25                  MS. ALYSSA HOPPE: Yep. And so I was

1 told that bore is a certain type of steel that we  
2 would use, it's like the strongest type of metal you  
3 guys would use, and that we were supposed to have a  
4 conversation about what that meant and what  
5 thickness is intended for the pipeline.

6 MR. BARRY SIMONSON: Yeah, I mentioned  
7 that earlier, that on the bores -- we'll call them  
8 bores for the discussions of this room tonight.

9 MS. ALYSSA HOPPE: Well, what do you  
10 normally call them?

11 MR. BARRY SIMONSON: Well, HDDs.

12 MS. ALYSSA HOPPE: HDDs.

13 MR. BARRY SIMONSON: Horizontal  
14 directional drills.

15 MS. ALYSSA HOPPE: Okay.

16 MR. BARRY SIMONSON: HD, or guided bores.

17 MS. ALYSSA HOPPE: Okay.

18 MR. BARRY SIMONSON: Or a bore, or an  
19 auger bore. So they're all trenchulous methods.  
20 What I mean as trenchulous, just like we described.

21 MS. ALYSSA HOPPE: Yep.

22 MR. BARRY SIMONSON: And based on  
23 calculations, engineering calculations, we have to  
24 determine what is the appropriate wall thickness for  
25 the pipe based on loads of vehicles going over the

1 pipe, over-the-road, dead loads, where just say a  
2 vehicle is right on top of the road, how can it  
3 withstand that pressure. So a lot of calculations  
4 that then we can calculate the wall thickness that's  
5 needed. So as we talked about earlier, let's  
6 take -- let's take, since we're in Crookston,  
7 24-inch pipe, the predominant wall thickness is  
8 0.375 inches. When we do a directional drill or a  
9 bore, we're using either a 0.438-inch wall  
10 thickness, all the way up to a half inch wall  
11 thickness, or .500-inch. So the increased wall  
12 thickness is there from a safety perspective based  
13 on calculations that we utilize internally.

14 MS. ALYSSA HOPPE: So is that what you  
15 would automatically use, or could landowners, for  
16 instance, request Enbridge to use a thicker  
17 pipeline?

18 MR. BARRY SIMONSON: No. We're  
19 utilizing the federal regulations that govern the  
20 wall thicknesses that we need to utilize based on  
21 specific calculations.

22 MS. ALYSSA HOPPE: So in these sensitive  
23 ecological areas, is it likely that those thicker  
24 pipelines will be used? Sorry, we're way over. Is  
25 that what you're looking at?

1                   MR. BARRY SIMONSON: No. It all depends  
2                   upon the installation method that's needed. You're  
3                   speaking probably about ecologically sensitive  
4                   areas. We're working in tandem with our  
5                   environmental department and all the other  
6                   environmental permitting agencies to determine what  
7                   installation methods are appropriate for each  
8                   site-specific location. And with those would render  
9                   the specific wall thickness, if it's a directional  
10                  drill or if it's not, if we need additional coating  
11                  that I was talking about if we do use a directional  
12                  drill. So it's site-specific, but it's coordinated  
13                  between our construction group and environmental  
14                  group and the agencies that influence our  
15                  decision-making.

16                 MS. ALYSSA HOPPE: Okay.

17                 MR. LARRY HARTMAN: I'll supplement what  
18                  Barry said. For example, they have identified all  
19                  the river and stream crossings they plan on making.  
20                  And a lot of times the smaller ones might be  
21                  trenched or you just dig a ditch across and there  
22                  are different ways of damming it up, caulker  
23                  (phonetic) dams and other things like that. DNR  
24                  will also specify whether they want the stream or  
25                  water body to be open cut or trenched and/or bored.



1           So that was part of the license or permit you get  
2           from DNR also.

3                   MS. ALYSSA HOPPE:   Okay.   So those sites  
4           that you were talking about are the areas that have  
5           been identified that you were just referring to,  
6           then?

7                   MR. LARRY HARTMAN:   They have identified  
8           all stream and river crossings in their application.  
9           I believe they have submitted an application to  
10          DNR --

11                   MS. ALYSSA HOPPE:   So those were the  
12          sites you were referring to?

13                   MR. BARRY SIMONSON:   We've identified all  
14          the actual sites that are either water crossings,  
15          water bodies, wetlands.   And so we're still in  
16          consultation with the environment in order to  
17          determine the correct crossing that will be  
18          permitted.   So that's still on the way.

19                   MS. ALYSSA HOPPE:   Okay.

20                   MR. LARRY HARTMAN:   And just to tack on  
21          to what Barry said.   They can apply to DNR, but DNR  
22          cannot issue those licenses or permits until the PUC  
23          has made its determination.   So, again, those  
24          permits are after the Commission has taken action.

25                   MS. ALYSSA HOPPE:   Okay.   And then just

1       lastly, like I was saying, you know, it's confusing  
2       having these parallel processes taking place at the  
3       same time but on different timelines. And I'm  
4       wondering, since you guys are doing such a good job  
5       of working in coordination with each other, if  
6       there's a way that you could work with federal  
7       agencies to provide the public with more tangible  
8       information about the process timeline.

9               I mean, I know that's a big question and  
10       maybe it's something you should think about. But  
11       it's hard as a citizen to track what's going on and  
12       a lot of things fall by the wayside. And being that  
13       we all work other jobs and this is what you guys do,  
14       it's hard to stay on top of it.

15              MR. MARK CURWIN: We try to put as much  
16       as we can on the project website about what the  
17       process looks like.

18              MS. ALYSSA HOPPE: And I'm, you know, I'm  
19       subscribed to all those eDockets and I read those  
20       and I'm still where I'm at, right, and that doesn't  
21       really provide a whole lot of information about the  
22       federal process itself and how it syncs up or  
23       doesn't sync up.

24              MR. MARK CURWIN: Unfortunately, as I  
25       said earlier, we don't drive that process, they do,

1           so it's really not in our control.

2                   MS. ALYSSA HOPPE: But could you make a  
3           concerted effort to work with the federal agencies  
4           to request something for the citizens in this area?

5                   MR. MARK CURWIN: I think they generally  
6           do a pretty good job of putting out their permits.  
7           The Corps, for instance, will have to put the permit  
8           out for public comment.

9                   MS. ALYSSA HOPPE: And we're seeing  
10          those, but, you know, I do talk to my community  
11          members and it's very difficult. I mean, do you  
12          guys realize that it's difficult for people to track  
13          this information?

14                  MR. MARK CURWIN: It's a lot of  
15          information, we understand that.

16                  MS. ALYSSA HOPPE: Okay. Well, I  
17          appreciate your time and thank you.

18                  MR. LARRY HARTMAN: Are there any other  
19          questions anyone has? Yes, sir.

20                  MR. WILLIS MATTISON: My name is Willis  
21          Mattison, I'm from Osage, Minnesota.

22                  COURT REPORTER: From where, please?

23                  MR. WILLIS MATTISON: Pardon me?

24                  COURT REPORTER: From where?

25                  MR. WILLIS MATTISON: Osage, O-S-A-G-E.

1           Thank you. I'm all the way up here in Crookston  
2           because I'm originally from the little town of  
3           Plummer not far from here, and many of the pipelines  
4           go through there and I have a little bit of history  
5           with it.

6                       And I'm also interested in coming to each  
7           and every one of these meetings because at every one  
8           of them you hear different questions and you learn  
9           more. The young lady who was just here, I  
10          sympathize very much with her, that there's massive  
11          amounts of information and an extremely short period  
12          of time to learn in order to have meaningful input.

13                      Mr. Hartman explained that it is not the  
14          role of the PUC or the DOC to be a public advocate.  
15          You have a role to play, rules to adhere to and  
16          approvals to give and information to put out.

17                      An organization that I am associated with  
18          has taken on the enormous task of actually being the  
19          advocate for citizens. We're going to attempt to do  
20          what you can't do and Enbridge probably won't do,  
21          and that is trying to make this all understandable  
22          to the public. We have enlisted a number of science  
23          and engineering experts. We have legal counsel.  
24          And we are amassing all of this by volunteers. We  
25          have hydrologists, we have ecologists, we have

1 research scientists. And myself, I am an ecologist.  
2 And so we're going to try to filter this information  
3 out.

4 Our organization is called Friends of the  
5 Headwaters. It's interesting that this gentleman  
6 who testified before said that Minnesota is the  
7 headwaters of a number of major water basins.

8 So advocating for the headwaters is what  
9 we're going to do. We're going to try and contact  
10 landowners and organize landowners so that they talk  
11 to each other, they have advice from attorneys, they  
12 have advice from real estate agents, and they get to  
13 learn from one another.

14 So those of you who in the audience are  
15 landowners, or those of you who get questions for  
16 the DOC or the PUC about that, I hope you refer  
17 those people to Friends of the Headwaters. Because  
18 we'll get landowners talking to each other and  
19 helping them understand what their rights are, and  
20 who is hearing what.

21 We represent townships, we have town  
22 board members on our list, we have county board  
23 members. We have cities, we have lake associations,  
24 we have recreation groups. We have hunting and  
25 fishing organizations, coalitions of lake

1        associations, service clubs. And we hope to add  
2        even more.

3                So we will provide a service for you as  
4        Enbridge and for the state agencies who can't do  
5        that, you simply can't. But we need your help. One  
6        place we need your help is that, unfortunately, the  
7        way the rules are written, Enbridge gets to evaluate  
8        all of your alternatives and sort through them for  
9        what works for you and the best routes and whatever  
10       criterion you use. We don't know what those  
11       criterion are, you do. You have many more that you  
12       would take into account that the public would not.

13               But when you do that, it can't be under  
14       the public arena for us to find alternatives. You  
15       have an army of engineers and scientists and people  
16       working for you, and you started a long time before  
17       we did. So we're playing catch-up. We need your  
18       help.

19               One thing that would help, and one thing  
20       we have that works for our advantage is technology.  
21       There's a wonderful piece of technology now called  
22       global information systems. And the State of  
23       Minnesota has amassed a great deal of resource data  
24       in a body called Data Deli, and I'm sure you've used  
25       it, we want to use it too. But it's useless to us.

1           We have to use it by hand unless we can get the  
2           shapefile for your pipeline route.

3                       We understand, because we requested it  
4           from the DOC and the Public Utilities Commission,  
5           that you have filed that as private information and  
6           protected by national security. We questioned that,  
7           because you're going to build it where everybody can  
8           see it, it's not there yet, so you don't have to  
9           protect the line on the map. And once it's in the  
10          ground everybody knows where you trenched it in.  
11          Anybody who would go by there with a GPS, hand-held,  
12          could tell me that information anywhere in the  
13          world.

14                      So would you please help us evaluate  
15          alternatives? Because with using the Data Deli we  
16          can look at every rare plant, every animal, every  
17          water body, every protected water body, every  
18          forest, everything all the way along the line,  
19          because I've taken on the task of doing it from the  
20          North Dakota border to Superior. We can't do that  
21          by hand. But with the help of technology and your  
22          assistance by giving us the shapefile, it would make  
23          our job -- and then we could actually come up with  
24          alternatives and give you the answers to the  
25          question you're asking of why is the route we're

1       proposing better than the one the pipeline is  
2       proposing, because we can compare them side by side.  
3       So I would ask you to please release that from the  
4       protective order that you have on it now.

5               There was only, until recently, no  
6       mention of the federal process. And I'm wondering  
7       if it would be helpful for future meetings if you  
8       would bring some federal agencies, like such as the  
9       Army Corps of Engineers representative, to help  
10      explain to the public, because they will not hold  
11      the public meetings that you are. It's a credit to  
12      you that you're doing this. But let's invite them.  
13      Maybe you guys would, too, and answer some of the  
14      questions that the folks here have.

15             I would ask, is, whether you are asking  
16      for site-specific permits, individual permits for  
17      each navigable water that you impact, or will you be  
18      using a nationwide permit? And I can't wait for an  
19      answer on that one 'cause you probably already know,  
20      you're in the process. 'Cause my next comment would  
21      be determined on the answer that you give.

22             MS. SARA PLOETZ: Thank you, Mr. -- oops,  
23      is this on? Thank you, Mr. Mattison. We have just  
24      recently filed our application with the U.S. Army  
25      Corps of Engineers, St. Paul District. They have



1 not fully determined the vehicle, permitting vehicle  
2 that they're going to use for the project yet. That  
3 is currently under progress right now. We will  
4 continue to work with them on the permitting vehicle  
5 that they feel is appropriate for the project at  
6 this point. I do not anticipate using regional  
7 general permits, but that decision is theirs.

8 MR. WILLIS MATTISON: So do you -- do you  
9 have a notion whether or not you're actually  
10 applying for a nationwide or applying for a state  
11 specific?

12 MS. SARA PLOETZ: Like I said, at this  
13 point I don't anticipate using -- the nationwide  
14 permits, for example, are actually suspended in the  
15 state of Minnesota. They would utilize a regional  
16 general permit program, but they have not fully  
17 defined what the authorization is going to be at  
18 this point, that's ongoing.

19 MR. WILLIS MATTISON: Okay. Then I'll  
20 withhold my question.

21 The public at the meeting tonight might  
22 have been misled by a comment you made. You may  
23 have misspoke with regard to a spill response and  
24 that the state emergency responder and the Pollution  
25 Control Agency have responsibility for cleanup.

1 Neither of those are true. They are required to be  
2 notified and they monitor and control and will  
3 investigate the adequacy of the cleanup, but the  
4 responsibility of cleanup, as you know, rests with  
5 the company that transfers the oil.

6 Unfortunately, there is no such thing as  
7 a cleanup. You remove what you can and you leave  
8 the rest. That does not define cleaned up. So  
9 everyone should understand that when you release the  
10 product, it does not go away no matter how much  
11 effort you put in. It may degrade over time. We're  
12 still watching Pinewood and, as you know, it's still  
13 there, and that was 1978.

14 I have a question for Mr. Hartman with  
15 regard to the environmental review process. Is your  
16 process under the Minnesota Environmental Policy  
17 Act? And in regard to the requirement that no  
18 permit should be issued for a project which may  
19 pollute, impair or destroy the natural environment  
20 so long as there is a reasonable or prudent  
21 alternative, including the no action alternative?  
22 And how that, I would expect that to be addressed,  
23 is in your comparative analysis do you compare the  
24 potential impact both of construction and  
25 predictable spills of two the no action alternatives

1           so that the public cost of constructing and  
2           operating this pipeline, as pipelines do, and they  
3           do leak and they do rupture and they do spill, so do  
4           you compare the costs of those incidental costs as  
5           well as the construction costs to the no action  
6           alternative when you weigh the proposal that the  
7           company is actually making, as is provided by the  
8           Environmental Policy Act?

9                       MR. LARRY HARTMAN: Our rules in -- well,  
10           the Minnesota EQB, environmental review rules at  
11           4410 part 3600 cover alternative review. Now,  
12           again, as we mentioned earlier tonight, there are  
13           two decision-making processes for the Commission.  
14           One is a certificate of need. If they determine the  
15           project -- that there's a need for the project, and  
16           our permit determines, where if they determine  
17           there's no need for the project then we don't have a  
18           project to build.

19                      MR. WILLIS MATTISON: So the need process  
20           is disconnected from the environmental costs?

21                      MR. LARRY HARTMAN: They're run  
22           concurrently, let's say they're parallel tracks.  
23           Well, yes and no.

24                      MR. WILLIS MATTISON: The environmental  
25           review, then, no matter what the environmental

1 costs, would not affect the project in terms of  
2 whether it goes forward or is denied, that is only  
3 the question of need?

4 MR. LARRY HARTMAN: Need determines  
5 whether -- well, quite simply, if there's no need  
6 for it then we don't have a project, they don't have  
7 a project to build. So we take our tent and go  
8 home.

9 Now, again, there are separate  
10 decision-making processes. They're linked by the  
11 fact that you need the authorization from the PUC.  
12 So the decisions are made sequentially. So first  
13 they have to determine there's a need for the  
14 project. If there's a need then we issue a permit  
15 which determines where. If there's no need, then  
16 it's a moot question as to where.

17 MR. WILLIS MATTISON: So if I'm  
18 understanding your answer to my question, there is  
19 no amount of adverse environmental impact that could  
20 be assessed or totaled for this project which would  
21 deem it inappropriate and would deny a permit? It  
22 could, in fact, destroy any and all of the waters  
23 that are on this map. They could destroy all of the  
24 homes and people near them. And if that were  
25 predictable, you would still be powerless to say no

1 to this project?

2 MR. LARRY HARTMAN: Well, again, that  
3 would still be a Commission determination.

4 MR. WILLIS MATTISON: But your assessment  
5 would not address that?

6 MR. LARRY HARTMAN: No, what -- well,  
7 it's a good question, I might be a little bit unsure  
8 on how to answer it.

9 Now, if I just look at the straight two  
10 elements, the need process and the site permit  
11 process. If the Commission determines there's a  
12 need for it, then we're probably obligated to grant  
13 a permit. Now, again, it depends on the other side  
14 of the equation what comes out of the permitting  
15 process in terms of the site permit.

16 Now, again, if the question is the  
17 impacts are so severe they can't be mitigated, then  
18 that's a different issue, and the Commission could  
19 address that. To my knowledge it's not one that has  
20 come up yet before the Commission with a pipeline  
21 that I'm aware of, so I can't speak for the  
22 Commission.

23 MR. WILLIS MATTISON: Yeah. And do you  
24 realize why that's important to the public? If  
25 they're speaking to all of the potential harm if

1       there is a spill, or the construction projects are  
2       such that a resource is degraded to where it's  
3       unusable or less usable than it would have been,  
4       they really have no plan. It is baseless for them  
5       to make that assertion or make that finding because  
6       the decision is already in the need and not in your  
7       environmental assessment.

8               So what I'm saying here is that there's a  
9       disconnect in the way the process proceeds and the  
10      public's perception. They believe that your process  
11      would stop the project if it were going to have an  
12      unacceptable environmental impact, and that's not  
13      true, if I understand what you've explained to me.  
14      So I think the public just needs to know --

15             MR. LARRY HARTMAN: Well, if there's a  
16      need for the oil, let's say it's not by pipeline,  
17      and then of the options out there, if you want to  
18      transport oil from the Bakken to some point east, I  
19      don't know where, it doesn't make any difference.  
20      If you're going to transport that commodity, what  
21      are the options.

22             One, okay, we've got rail, we know that's  
23      a problem. We've got truck, we know that's a  
24      problem. What's left, pipelines are by far -- and I  
25      think the evidence is quite clear that pipelines is

1           the safest way to transfer a commodity from point A  
2           to point B as opposed to the other methods of  
3           transportation.

4                   MR. WILLIS MATTISON:  You're taking that  
5           as a given?  I don't believe that's a proven point.

6                   MR. LARRY HARTMAN:  Well, if you look at  
7           the statistics, they support that position.  I'm not  
8           saying it's the right one, I'm just saying --

9                   MR. WILLIS MATTISON:  They do not, but --

10                  MR. LARRY HARTMAN:  -- that's what the  
11           numbers tell us so far.

12                  MR. WILLIS MATTISON:  Okay.  We'll be  
13           prepared to rebut that.

14                  MR. LARRY HARTMAN:  Okay.

15                  MR. WILLIS MATTISON:  I'm really  
16           surprised that you have that foregone conclusion in  
17           this.

18                  MR. LARRY HARTMAN:  Well, I said in terms  
19           of transportation and safety.  Safety.

20                  MR. WILLIS MATTISON:  And I am, too.

21                  MR. LARRY HARTMAN:  Pipelines are a safer  
22           method of transporting than rail or truck.

23                  MR. WILLIS MATTISON:  I hear you saying  
24           that, I'm not sure that that's proven.

25                  MR. LARRY HARTMAN:  Well, okay.

1                   MR. WILLIS MATTISON: All right. Thank  
2                   you.

3                   Now, can I get a response from Enbridge  
4                   with regard to your releasing your request for  
5                   proprietary information or protection so that you  
6                   would enable the public to actually do what the PUC  
7                   is asking us to do? You need to untie our hands.  
8                   We can't equal you, we need to come up to some level  
9                   that technology would allow. Would you be willing  
10                  to release that to us?

11                  MR. JOHN GASELE: Again, my name is John  
12                  Gasele, I'm outside counsel for the company.

13                  The file you're asking for is actually  
14                  made confidential and protected by federal law. So  
15                  no, we will not release that file to you.

16                  But I will tell you that the burden that  
17                  the PUC asks for under the rules for you to make on  
18                  alternative route proposal doesn't require use of  
19                  that data. The burden that you have to show in  
20                  proposing an alternative route is far, far, far  
21                  lower than what the company has to put into a  
22                  proposal. It is then going to the Public Utilities  
23                  Commission, which will do the more detailed route  
24                  analysis.

25                  So to answer your question, we can't



1 release those shapefiles, no.

2 MR. LARRY HARTMAN: In regard to what  
3 John had said, obviously we expect to people who are  
4 going to propose a route, the rules also require you  
5 to be an advocate for that route also. So to that  
6 degree we want some information. Does it have to be  
7 at the same level as what Enbridge has provided?  
8 No. And, again, as John indicated, once we get  
9 those routes, we identify it, and we anticipate  
10 hiring a consultant to do that detailed analysis for  
11 this project. So, again, the burden on you isn't  
12 the same as it is on Enbridge. You need to provide  
13 some of that lifting, the state will try to do the  
14 rest of that lifting so we look at things on an  
15 equivalent basis.

16 MR. WILLIS MATTISON: In your opening  
17 remarks you talked about considering plants and  
18 animals, agriculture, forestry, cumulative effects,  
19 this kind of thing. All of those are available in  
20 Data Deli. And we would like to employ them in  
21 order to advocate for and compare why we think --

22 MR. LARRY HARTMAN: Again, if you're  
23 proposing a route, you can get information from the  
24 Data Deli yourself and use that to support your  
25 route if you so choose to do so.

1                   MR. WILLIS MATTISON: I understand that.  
2                   But we would only have our data, we would not be  
3                   able to compare it and justify why ours is better or  
4                   worse than theirs.

5                   MR. LARRY HARTMAN: We expect to hire a  
6                   third-party consultant to do that analysis for us.  
7                   So if you submit a route and Enbridge has one, and  
8                   assuming your route ties into Enbridge's route,  
9                   we'll look at the differences between those two.  
10                  So, obviously, they have a lot of information from  
11                  the Data Deli, we expect whoever does the work for  
12                  us as the consultant would make that same sort of  
13                  analysis based on public information available.

14                 MR. WILLIS MATTISON: It goes back into  
15                 the arena of --

16                 MR. LARRY HARTMAN: So that information  
17                 will come out in our comparative environmental  
18                 analysis, it'll be -- the information, wherever we  
19                 get it from, will be public data, so that will be  
20                 there for you to use in whatever way to you choose  
21                 to use it.

22                 MR. WILLIS MATTISON: Well, because I'm  
23                 familiar with the data and I've done this for most  
24                 of my career, I'm saying if you collaborate with the  
25                 company in withholding that data, you are, in fact,

1        tying the public's hands behind their back and  
2        putting us at a distinct disadvantage.

3                I know you're saying all we have to do is  
4        propose another route and you'll look at the  
5        analysis. We have to be able to compare hundreds of  
6        possibilities all along this pipeline. And to do  
7        that efficiently we need to be able to use the tools  
8        that are available to us. And I disagree with you.  
9        Yes, I know that you claim that this is -- comes  
10       under the federal rule of protected information, but  
11       you can't justify that. And we're asking you to  
12       voluntarily release it because it is of no great  
13       national security interest, nor is it proprietary  
14       information for your competitors. So we ask you to  
15       help us compare your route to anything else we might  
16       propose. Voluntarily. Even though you can hide  
17       behind the law.

18               MR. JOHN GASELE: I will just again say  
19       that the federal government made those rules, we  
20       didn't make them. We won't exchange that  
21       information.

22               MR. WILLIS MATTISON: You choose it.

23               MR. JOHN GASELE: Well, I'm sorry, I  
24       can't advise my client to violate federal law by  
25       handing out protected information. And that's going

1 to be the end of the conversation. I respectfully  
2 disagree with your characterization, but, no, we  
3 will not release that data.

4 MR. WILLIS MATTISON: I'm sorry to hear  
5 that. That will conclude my remarks. Thank you  
6 very much.

7 MR. LARRY HARTMAN: Thank you.

8 MR. WILLIS MATTISON: Oh, by the way,  
9 anybody who wants to sign up to get our advocacy for  
10 them, there's a sign-up sheet on the board in the  
11 back of the room. Friends of the Headwaters. Thank  
12 you.

13 MR. LARRY HARTMAN: Thank you.

14 Are there any other questions? Could I  
15 just mention one thing before you come up again? Do  
16 you have any cards?

17 MS. CASEY NELSON: No, I don't. I was  
18 just thinking maybe we should take a break.

19 MR. LARRY HARTMAN: Well, maybe we can  
20 wrap up in a few minutes.

21 One thing I did want to mention about  
22 easements. I don't know, I imagine some of you have  
23 existing easements on your property right now with  
24 pipeline companies. Those easements take two forms.  
25 They can either be a defined easement, which means

1           it might mention how many pipelines can be on your  
2           property in that easement, so they might be referred  
3           to as a single line easement versus a multiple line  
4           easement. A lot of times your older easements might  
5           be a blanket easement so it represents an  
6           encumbrance on your property that covers the entire  
7           property. If you go to sell, that you're probably  
8           going to have to get a defined easement. And  
9           Minnesota law provides a provision, if you're a  
10          landowner with a pipeline crossing your land and you  
11          want to sell that land, you can ask the company to  
12          define the easement, which would then make it,  
13          probably, make your real estate transaction a little  
14          bit simpler. So, again, depending on how many  
15          pipelines you have, different entities might have  
16          different types of easements. I'm assuming you're  
17          looking for a single line easement?

18                   MR. ART HASKINS: Yes.

19                   MR. LARRY HARTMAN: So one pipeline in a  
20          proposed right-of-way.

21                   MR. TODD LEAKE: I don't need the  
22          microphone, everyone can hear me.

23                   COURT REPORTER: Can you remind me of  
24          your name again?

25                   MR. TODD LEAKE: My name is Todd Leake

1 with the Agassiz Basin Group of the Sierra Club.

2 At the emergency management meeting in  
3 Grand Forks awhile back, we were reminded by  
4 Enbridge of the volume of oil that could leak into  
5 the Red River in the scenario that they were  
6 presenting. I believe it was in excess of 4,400  
7 barrels between the valves if there's a leak  
8 detected on the Red River?

9 MR. MARK CURWIN: That's correct, that  
10 was the number we were using.

11 MR. TODD LEAKE: I understand it's going  
12 to be crossing the Mississippi River twice. What is  
13 the expected amount of barrel leakage at the  
14 Mississippi River at each of those crossings should  
15 the system of detection, leak detection work  
16 properly?

17 MR. MARK CURWIN: The scenario we  
18 presented, if the valve -- if valves work  
19 properly -- you're kind of mixing things together  
20 there. But the short answer is we're still working  
21 on our emergency response plan for this pipeline and  
22 those types of analyses would occur between now and  
23 when the pipeline goes into service.

24 MR. TODD LEAKE: Okay. So we're talking  
25 Red River, we're talking 4,400 barrels of oil. How

1           many gallons of oil in a barrel again?

2                       MR. LARRY HARTMAN: 42.

3                       MR. TODD LEAKE: Multiply it times 42, so  
4           you said it would take four hours for it to spread  
5           north to Grand Forks and your emergency response was  
6           not -- you'd be there after it passed through the  
7           metro Grand Forks.

8                       MR. ART HASKINS: That's incorrect. On  
9           the display there it showed that, based on that  
10          worst case discharge, a guillotine cut through the  
11          pipeline at that location, and that released, within  
12          six hours it would be at Lincoln Drive Park, and  
13          that is the area where our technical response plan  
14          says that's as far as we would go down to put our  
15          first set of booms. And then we would recover the  
16          majority of the product even closer to the pipe than  
17          that. And that's just based on an initial analysis,  
18          not the actual river flow currents there, that was  
19          just based on a per mile per hour. So as our TRG,  
20          the response group experts, because the shapefiles  
21          are not available for that river flow, as they said  
22          at that time that this is -- the only thing they  
23          could do at this time to project that distance most  
24          likely would not be that far, probably half of that  
25          distance as well. So it would only be a couple

1 miles downstream from where the valve is.

2 MR. TODD LEAKE: Okay. So you'll have a  
3 similar scenario for the Mississippi as well that  
4 you'll be developing.

5 The next question I have is do you intend  
6 to start construction of any of your components of  
7 this pipeline in North Dakota prior to receiving all  
8 your approvals in Minnesota and Wisconsin?

9 MR. MARK CURWIN: Mr. Leake, we talked  
10 about that when we had the break earlier and I'm not  
11 sure it's relevant to what we're here for with  
12 respect to the Minnesota approvals. But you were  
13 present at the hearing when we asked the PSC to  
14 consider a segmented approval process so that early  
15 construction could occur for things like facilities.  
16 Obviously, if we were going to build a facility  
17 prior to having everything else in place, we would  
18 have all permits required for that facility.

19 MR. TODD LEAKE: So in theory you could  
20 build this pipeline right up to the Red River until  
21 you have approval from Minnesota?

22 MR. MARK CURWIN: I'm not going to talk  
23 about theoretical scenarios.

24 MR. TODD LEAKE: But you put it before  
25 the PSC in North Dakota under oath.



1 MR. MARK CURWIN: No, we didn't put it  
2 before them under oath. I will repeat what we said.  
3 We asked for conditional segmented approvals so that  
4 early construction could proceed on things like our  
5 facilities. I'm not going to debate this back and  
6 forth with you. Sorry.

7 MS. ALYSSA HOPPE: But the general public  
8 doesn't know this, we weren't at that.

9 MR. TODD LEAKE: So I'm just asking, you  
10 could build your pumping stations and part of this  
11 pipeline in North Dakota prior to getting approval  
12 in Minnesota or Wisconsin?

13 MR. MARK CURWIN: I'm not going to  
14 respond to that. That's a theoretical,  
15 hypothetical, speculative question that I'm not  
16 going to answer. It's not relevant to why we're  
17 here today.

18 MS. ALYSSA HOPPE: We think it's  
19 relevant.

20 MR. TODD LEAKE: It would determine where  
21 the pipeline would go as it enters Minnesota. And  
22 the timeline. Are all of the -- are all of your --  
23 I'll restate it, then, so maybe it's more clear.

24 Are all of the permits that you're going  
25 to require -- federal, state, local, tribal -- to be

1           in place prior to the initial construction of this  
2           pipeline from Beaver Lodge to Superior? It's a  
3           pretty straightforward question.

4                     MR. MARK CURWIN: I already answered the  
5           question.

6                     MR. TODD LEAKE: It'll be in the public  
7           record. Thank you very much.

8                     MR. MICHAEL DAHL: Can I ask a follow-up?  
9           What constitutes a facility? What's a facility?  
10          'Cause, you know, that's what I'm not seeing, what's  
11          a facility? Is it a building, is it an office, is  
12          it -- what's a facility on taking that route, on  
13          building and preparing for this proposed route, what  
14          is a facility?

15                    MR. MARK CURWIN: A facility, for  
16          purposes of a pipeline, Michael, I think would be  
17          something like a pump station, which is required to  
18          have a pipeline that operates, and other things like  
19          valves, for instance.

20                    MR. MICHAEL DAHL: Okay.

21                    MR. MARK CURWIN: So it's the piece parts  
22          that go with the pipeline.

23                    MR. MICHAEL DAHL: Okay. So then that  
24          would be the parts that stick out of the ground?

25                    MR. MARK CURWIN: Essentially, yes.

1                   MR. MICHAEL DAHL: Yeah, the wheels and  
2                   stuff that we see from point A to point B, you see  
3                   the big colored wheels along Highway 2, or they  
4                   could be underground. But that's a facility? We're  
5                   not talking about a big structure, we're talking  
6                   about a potential checkpoint?

7                   MR. LARRY HARTMAN: In Minnesota we'd  
8                   probably refer to those as associated facilities.  
9                   If you read the rules, they probably define it.

10                  MR. MICHAEL DAHL: That's the  
11                  clarification I was looking for on what exactly it  
12                  is. I mean, really, I mean, this is really what I  
13                  want to say, I appreciate this because it does put  
14                  this kind of jargon, you know, and I don't mean that  
15                  in an insulting way. 'Cause we both know we could  
16                  insult the hell out of each other for hours if we  
17                  wanted to. But I appreciate that making of the  
18                  jargon, the pipeline Enbridge business lawyer jargon  
19                  put into a simpler term, you know, to where we  
20                  understand it. Because contrary to popular belief,  
21                  I have children in the family, I don't live, eat and  
22                  breathe Enbridge. I think about you guys a lot. A  
23                  lot. But, you know, I have other things. And  
24                  putting those kinds of things into an easier way to  
25                  understand. Because, like Tracy and I spent an hour

1           and a half on the phone, almost, the other day, how  
2           does this process work, what about this, what does  
3           this mean, what does that mean, and making these a  
4           little more accessible.

5                       Transparency is the key. Again, I'm  
6           giving you guys advice. If you want to find  
7           friends, be transparent. Don't leave us suspicious.  
8           Be transparent. That's going to be the key. If  
9           you're honest and full of integrity, then you got  
10          nothing to hide, and answer our questions. 'Cause I  
11          do, I appreciate it.

12                      We'll have some more coffee tomorrow.  
13          Okay? Thank you.

14                      MR. LARRY HARTMAN: Thank you.

15                      I guess with that we're probably done for  
16          the evening, so I'd like to thank you for attending.  
17          I encourage you to either sign up to be on the  
18          eDocket list if you want everything, the project  
19          notification list for notices. Again, I'd like to  
20          remind you for comments, any written comments, I  
21          have the comment sheet out there if you want to  
22          submit it on that, tape it shut, postage paid, it  
23          comes to me, if you want to propose a route.

24                      I'll be back in the office next week for  
25          a couple days, we're moving. And then after that if

1           you want to make route proposals or a suggestion by  
2           April 4th and you need help or assistance, please  
3           give me or Casey a call and we're glad to assist you  
4           any way we can.

5                       I'd like to thank you for attending.  
6           I'll probably be here for a while afterwards if you  
7           have other questions. So, again, thank you very  
8           much.

9                       (Meeting concluded.)

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